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**SUBJECTIVITY AND THE DISCOURSE OF VICTIMHOOD IN THE SOUTH AFRICAN
TRUTH AND RECONCILIATION COMMISSION**

MRes in Human Geography

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SUBJECTIVITY AND THE DISCOURSE OF VICTIMHOOD IN THE SOUTH AFRICAN TRUTH AND RECONCILIATION COMMISSION

Abstract

This study contends that the South African truth and reconciliation process can be usefully understood in terms of discourse in general and subjectivity/subject-positioning in particular. The potential of these concepts to illuminate and characterize the national reconciliation aims of the truth and reconciliation commission (TRC) remains somewhat under-exploited in the literature. Positioned within a broad theoretical framework, a Foucauldian analytic was used to assess officially produced texts and talk that structured subjectivity in relation to the discourse of victimhood, the discursive resources drawn on by TRC commissioners and the subject-positions formed. Through discursive repertoires the research looks at repertoires of victimhood, specifically in terms of nationhood and empathy, emerging from statements of commissioners of the TRC during the Human Rights Violations hearings, and examined the positioning effect they had on subjects. In relation to this I have attempted to shed light not only on the constructed nature of individuals' positioning but also how they become subject to particular discourses and practices: how identities were shaped and capacities (among other things) constructed and mobilized in the light of victimhood and in the context of the TRC hearings. Data sources for the study include the Promotion of National Unity and Reconciliation Act of 1995, the Final Report of 2003 and transcripts of victim hearings conducted by the Commission.

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Chapter One

AIM AND OBJECTIVES

1.1 Rationale and background

Introduction

This dissertation examines subjectivity and the discourse of victimhood in relation to the prominent South African truth and reconciliation process. This process, carried out in practice through the participatory strategy of “victim hearings” orchestrated by the truth and reconciliation commission (TRC), was designed for re-telling and re-capturing the full scope of Apartheid-era atrocities. In this regard, storytelling – stories of individual “victims”, categorized and subjectivized as the primary narrative agents – became mobilized as a tool for bringing about “national reconciliation” (Humphrey, 2005:203). What is striking here is that acts of storytelling became synonymous with acts of participation, in this case in the overarching project of national reconciliation involving a strategic coordination between victims and perpetrators of past injustice and a range of state and non-state actors across the public sector.

Debate about truth commission projects, especially the kind experimented with in South Africa, are replete with discussions about “participation”. Arguably, this is because the South African case is a model of what may be termed participatory reconciliation, developed largely in alignment with a national rebuilding project unprecedented in its aims, urgency and challenges. It was amid and through this extraordinary mechanism that testimonies emerged and were engaged with as part of what was designed to be an open, inclusive and collective national

rebuilding process centred primarily upon victims. This overall emphasis distinguished the TRC from other truth commissions created all over the world since the 1970s. Supporters of the TRC argue that by opening up the floor to active citizens bound together by common experiences and stories of victimization participation was at once inclusive, transparent and averse to centrally imposed ideas. On the one hand, analysts like Alex Boraine stress the importance of the TRC being not only victim-centred and restorative but also espousing a participatory paradigm of cooperation. In this case, it allowed "victims and perpetrators to appear together" for the purpose of fostering a "healing process" in the country (Boraine, 2000:293). Other commentators like Johnny de Lange, on the other hand, highlight the historical, processual nature of this participatory agenda. For him, the TRC "marks a unique moment in world history. It was the first time that a nation had created a truth commission through a public and participatory process" (de Lange, 2000:14). Through participation by the way of telling (and moderating) stories¹, subjects of victimization emerged within participatory spaces, spaces where the discourse of victimhood interspersed with a "therapeutic ethos" and the broader aims of national reconciliation².

The TRC process began with "the assumption that it helps individuals to tell their stories and to have those stories acknowledged officially. Victims, therefore, [were] encouraged to tell as much of their stories as they wish[ed] to reveal, without regard for its relevance to the determination of guilt" (Aldana, 2006:111). As a quasi-judicial organization, the South African

¹ In this study I use the terms storytelling and testimony somewhat interchangeably.

² Geared towards the management of subjectivity, the therapeutic ethos is characterized by a heightened form of "self-referencing", an increased emphasis on emotions and the rise of therapeutic professionalism, among others (Nolan, 1998:2–21). For Nikolas Rose, the therapeutic is to be understood as a norm operating in the context of hierarchical relationships with authorities who promote the therapeutic not only as a "generosity of expertise" (Rose, 1998:89) but as a means of "shaping, channelling and enhancing subjectivity" (Rose, 1989:213). Working in connection with the rising influence of this ethos is a therapeutic discourse. Therapeutic discourse is the domain of psychological/psychotherapeutic frameworks with registers in the areas of counselling, theology, social work and now in truth and reconciliation. Rose (1989, 1996b, 1999) and Nolan (1998) regard this discourse as the proliferation of circuits of expert knowledge that gives privilege to specific understandings of self, identity and subjectivity.

TRC did not concern itself with the determination of guilt but aimed to operate strictly from a framework of reconciliation that was by extension a demonstration of an innovative social-psychological approach to addressing the political. As such the stories that victims were encouraged to tell were not told in a narratological or political vacuum but were built on discursive systems which framed understandings of truth, reconciliation, forgiveness and victimhood and positioned subjects in relation to them. While the word “victim” may not have been used directly in the hearings or official documents, the strategy of the TRC was unequivocally “victim-centred” and did follow the multidirectional path a victimhood discourse made available (see du Toit, 2000; Leman-Langlois, 2000). Arguably, this discourse was fundamental to the operations of the TRC, transforming the fact of individuals’ victimization into normative ideas of victimhood and therefore contributing to a particular understanding of experience in which the identity of “victim” became the pivotal marker of subjectivity (Ross, 2003a)³.

Background to the TRC

From 1960 to 1994 several thousands of people suffered the brutal effects of political violence in South Africa and Apartheid became synonymous with all kinds of human rights abuses, including politically motivated killings, torture, oppression, kidnappings and ambushing – primarily from the regime but also the resistance. Through the hearings of the TRC, it emerged that these atrocities were committed by various agencies – including the South African police and so-called “death squads” instituted by the South African state – from the late 1960s (Pillay, 2005). According to the TRC Act and the Report, the Commission centred its work largely

³ To be sure, in the TRC victimhood was aligned with an officially recognized identity entailing particular rights and entitlements to benefits (such as public acknowledgment of wrongdoing or reparations) (Humphrey, 2003; Posel & Simpson, 2002).

around the victims of these crimes – including mothers, youth, former activists and friends and relatives. As the Report puts it, “The story of apartheid is, amongst other things, the story of the systematic elimination of thousands of voices that should have been part of the nation’s memory. The elimination of memory took place through censorship, confiscation of materials, bannings, incarceration, assassination and a range of related actions. Any attempt to reconstruct the past must involve the recovery of this memory” (TRC Final Report 2003, Volume One:201). Indeed, these atrocities had their share of victims, and the concern with victimization led to the situation where the hearings became known for the most part as “victim hearings” (see TRC Final Report 2003, Volume One; Tutu, 1999). This focus steered the direction of the public hearings – about 95 of them – that the TRC conducted.

The TRC began life in 1995 as an agency of the Government of National Unity, inaugurated following a negotiated settlement that ended Apartheid in 1994 and following the Promotion of National Unity and Reconciliation Act No. 35 of 1994, which was brought before and passed into law by Parliament on 16 December 1995. At inception the Commission was charged with the responsibility of fostering national reconciliation and healing after decades of atrocities fuelled to a large extent by the Apartheid system, through which a minority white population denied political participation to the majority black population. Associated with the TRC’s mandate was the task of inviting victims and perpetrators to bear witness to the atrocities of the past by way of storytelling. In fact, at its preliminary meeting – which took place on 16 December 1995 – Tutu established the narrative framework of the Commission, one that was grounded within its broader institutional, political and discursive context. Setting out the “terms” of the narrative structure, Tutu laid emphasis on an ethics of listening, speaking and interaction. Indeed this manifested in the relationship between the testifier and the commissioners during the hearings during which the commissioners set the background for the narrative that was to follow. On the basis of this narrative system of disclosure, the

Commission was also tasked with the objective of granting amnesty to the perpetrators of crimes relating to human rights violations and providing reparation and rehabilitation. The preamble of the Act recognized the atrocious legacies of Apartheid and set out with the aim of creating a future where human rights and reconciliation were social possibilities in the new South Africa (TRC Act, Chapter Three [see **Appendix A**]).

The TRC consisted of three main committees: the Human Rights Violations Committee, the Amnesty Committee and the Reparation and Rehabilitation Committee. While the other committees played significant roles, the Human Rights Violations Committee (HRVC) was arguably the main pillar of the TRC, and the activities of the others revolved directly or indirectly around it. In all, there were 17 persons appointed as commissioners of the TRC. As authority figures the commissioners played a pivotal role in eliciting the narratives. They were agents who shaped and transformed the testimony-giving event – who facilitated storytelling. Arguably, each came from a background of expertise, including psychologists and social workers, theologians, human rights activists and legal practitioners. Under the chairpersonship and deputy chairpersonship of Archbishop Desmond Tutu and Alex Boraine respectively, the Commission's proceedings began on 16 December 1995, a day which was already symbolic in the national imaginary as it commemorated the Afrikaner defeat of Zulus. The date was chosen for the TRC because of its importance and led to the public holiday named "Day of Reconciliation". The public hearings commenced in April of 1996 and went on for two years.

The activities of the HRVC revolved around gross human rights violations that occurred between 1960 (when the infamous Sharpeville massacre occurred) and 1994, to which it received over 20,000 statements comprising over 50,000 incidents of abuses and atrocities from victims. The HRVC emerged as a mechanism for weaving narrative threads about human rights and history together. Through testifiers deemed to be representative of those whose

human rights had been violated by the Apartheid regime, the HRVC orchestrated and produced complex stories of harm, suffering and violence in hearings that took place in several locations across South Africa throughout its two-year operational period (1995–1997). At each hearing victims publicly told their stories to a panel of between 3 and 17 commissioners and committee members as well as to many more lay audience members seated in the venues. These hearings were not only held publicly, they were given wide coverage in the media: live broadcasts ran on television and radio, summaries were included in newspapers and verbatim transcripts were published on the Commission's website.

Wherever they took place, whether the venues were churches, school gymnasiums, town halls or civic centres, the hearings took on a fairly simple discursive ritual and were largely designed to make testifiers feel free, secure and important to the whole process (see Tutu, 1999; Andrews, 2003). Each day's hearings began with introductory comments from the chairperson and also a roll call of names of persons scheduled to testify on the day. After this the testifier would be motioned to a seat on the platform, alongside a "briefer". Each session began with commissioners' explanations of the event that not only created context and also prepared testifiers for their stories but also gave each storytelling meaning and significance. The chairperson would then provide a brief introduction in relation to the individual before asking her/him to take the oath. One of the commissioners, called "facilitator" in this context, would then ask the victim to give a personal background and then to tell her or his story. The commissioners' talk were also often religious and psychotherapeutic, significantly marked by role-playing, emotional and religious fervour, and they were sympathetic. On the initiative of Tutu there were occasions when the hearings were accompanied by Christian rituals – the lighting of candles, praying and hymn-singing (Boraine, 2000). This aimed primarily at constructing an atmosphere of "healing" and reconciliation but only served to enforce the idea that this was a space in which victimhood played out.

1.2 Research Aim and Objectives

Aim and Objectives

The main aim of this project is to analyse the role of discourses of victimhood in the work of the TRC. This aim is operationalized through a set of two interrelated objectives: one, highlighting the discursive strategies surrounding the construction and positioning of victimhood in the TRC's activities and; two, examining the mechanics of hearings and the repertoires emerging from the experts' talk. Interrogating the idea of the "victim" and tracing its operation in the TRC discourse, I hope to show how people who identify, or who are identified, as victims were invited to take up that subject-position. I shall be applying a Foucauldian lens to the study, meaning that rather than focusing on victims *per se* the focal point will in large part be the systems of ideas, or "discourses", which construct and position victims. These discourses emerge from documents as well as comments by authority figures in the context of the proceedings of the TRC.

Whilst the institutional discourse of truth and reconciliation was a main part of the TRC's reality, I shall limit this investigation to another discourse that existed – often side by side – with that of truth and reconciliation: the discourse of victimhood. This discourse was germane at many levels and has implications for ideas about registers of subjectivity – including participation and positioning. To clarify, in problematizing victimhood my argument is that it was constructed. Yet espousing this constructionist view does not mean that I believe that experiences of oppression dealt by the Apartheid regime are false but that there are deep-seated that can only be approached by taking this view. While this is not often visible victimhood discourses do construct an array of spaces that can be available or reducible to the material and immaterial practices of government. Although this particular discourse offered the

victims of Apartheid opportunities for redress and reparation, arguably the language was also narrow to some degree.

Despite the good intentions that motivated the TRC, it is my view that it was plagued by assumptions that inadvertently promoted stereotypic depictions of victimhood, and thus failed to address either the complex politics or the nuances of what being a “victim” involves (Ross, 2003a). Ultimately, the discourses built around victimhood have sedimented meanings around the experience of victimization and they ascribe a particular expression of voice to victimness. What this does, I believe, is place upon the individual the burden of living up to the archetypal profile of the “true” victim and problematically feeds her testimony to pain and suffering into the objectives of truth and reconciliation in the Commission’s hearings.

Research Questions

In line with the research aim and objectives, answers would be sought for two main questions: What are the discourses of victimhood and how were they discursively constructed at the hearings of the TRC? How was the subject-position of “victim” constructed in official discourses of the commission and by what mechanisms was this position constituted at the hearings? Yet, in asking these questions my intention here is not to be deterministic or to conflate the programme of the TRC “with a *real* subject, subjectivity or subject-position, i.e. with a subject that is the endpoint or terminal of [this programme]” (Dean, 1999:32). I take as a starting point the belief that what programmes such as truth and reconciliation do is to “elicit, promote, facilitate, foster and attribute various capacities, qualities and statuses to particular agents” (Dean, 1999:32).

The research utilizes a discourse-analytic approach to highlight the ways in which the category and concept of victimhood, implicit in the political discourses and hearings of the TRC, contribute to processes within which participation is encouraged, stories are invited and subject-positions emerge. The enquiry starts out from a “thicker”, theoretically informed conceptualization of the process of creating and mobilizing victimhood. How an individual becomes inserted into the subject-position of “victim” can be partly traced through discourse. What is of interest here is how discourse – at the level of practice – governs the terrain of truth and reconciliation by establishing parameters for defining “problems” and proffering solutions accordingly. Hence, congruent with a broad constructionist perspective I hope to bring to the fore the ways in which these discourses have influenced normalized ways of conceptualizing both the “victim” and victimhood. Here victimhood is understood to be a discourse constructed in deliberate ways in the context of the TRC. As I will argue, a specific discourse of victimhood is shaped through other discourses (such as therapy, justice, empowerment, national reconciliation, public participation, and so on) not only to frame and to control its interpretation but to provide a wider rationale for the work and workings of government. Through historical “knowledges” surrounding and ensconcing victimhood, the victimhood discourse is able to produce its own reality through its effect on individuals’ positioning and testimonies.

My approach to the interrogation of the discourse of victimhood and subjectivity is generally influenced by the Foucauldian notions of discourse and subject-positioning. From this perspective, the stated TRC objective of giving the victim of Apartheid-era atrocities a voice cannot be taken at face value. Instead, the discourses and politics involved in the project of truth and reconciliation are taken as having manifold effects – powerful, enabling and subjectivizing all at once. It seems pertinent, therefore, not only to examine how victimhood discourses played out and were interacted with (or in fact resisted) in the spaces of the TRC,

but how these discourses feed into as well as demonstrate the potentials and paradoxes of the sociopolitical formations through which subjects are produced and positioned.

This dissertation begins on an important premise: instead of thinking of the TRC as a discrete, abstract entity I follow Foucauldian thought in focusing on its practices – in this case, its discourses. These are practices that structure and even produce the contexts for the relationship between programmes of the state and the subject in the significant spaces of nation rebuilding. They also refer not only to institutions like the TRC but also those forms of knowledge, vocabularies, practices of calculation and so on, that help to produced designated social subjectivities (such as victimhood) and also structured and produced the worlds they engaged with. Rather than assuming the inevitability of victimhood, I ask how ideas about the victim were produced, figured and employed in concrete political discourses.

1.3 Anticipated Contribution of the Study

In this study I do not join the debate as to whether the TRC was effective, useful or successful. Rather, what I set out to do is to turn an interrogative gaze on the discourses that the TRC nurtured and deployed, specifically analysing the ways in which the discourse of victimhood constructed, subjectified and positioned the category of people labelled “victims”. Although at a broader scale I am interested in the experiences of these individuals, their subjectivities and the stories they told before the TRC, in the present study I do not begin from these experiences. Rather, as a way of situating the political context and the complex assemblages of discourse in the activity of the Commission I shall be looking at the “making” of the victim in the political discourse of the TRC. As a starting point, then, I will be deploying the concept of

victimhood as an analytic framework to bring into sharp focus the discursive mechanisms that positioned subjects according to the stated aims of the Commission.

My research follows the tradition in (critical) human geography of considering the pivotal role that discourse plays in the complex matrix involving subjects, subjectivities and subject-positions (Pile & Thrift, 1995; Rydin, 2005). By following a “critical” path, I will be examining the discursive elements of the TRC hearings – that are prone to be taken for granted, highlighting their potency, dynamism and vulnerabilities at the same time. Here I follow Foucauldian studies of discourse and subjectivity theory to explicate specific *practices* of the TRC such as, on the one hand, the inscription of specific systems of knowledge on the psyches of subjects and, on the other hand, the discursive organization of subjects’ worlds through knowledges about victimhood and through a mobilization of the discourse of participation. On the whole, I see the research as making potentially distinct contributions to political and cultural geography, specifically as it grounds the theoretical concerns of subjectivity, subject-positioning and discourse in empirical analysis, thus creating a framework for gaining critical purchase on other interconnected concerns. At the same time, the study can offer useful inputs to further understanding the role of the TRC hearings in making available a political space through which human agency operated in various forms, an understanding that can be profitably appropriated by geographers and non-geographers alike.

Having noted all these, it is anticipated that this research will open up many more angles to pursue for full-fledged research at the PhD level.

Chapter Two

LITERATURE REVIEW

2.1 Introduction

The goal of this review is to provide the theoretical and methodological foundation for what is fundamentally a discursive interrogation of the critical role of subjectivity and victimhood in the operations of the TRC. It will present a framework for understanding the positioning of subjects as victims in a broader discourse that aimed at a new, post-Apartheid imaginary through national reconciliation but also effectively overlapped with the logic of positioning. I first address recent literature on the TRC and its links with ideas about victimhood. I then review key literature – across various disciplines – on discourse theory and subjectivity, highlighting germane points. By focusing on this body of literature, I believe it is possible to show how the TRC operated within an overlapping set of discourses associated with practices of subject-positioning. The final section presents some concluding thoughts.

2.2 Studies of the South African Truth and Reconciliation Commission

The truth and reconciliation process in South African has spawned various academic and non-academic analyses, involving themes that reflect to a great extent on the moral, political and conceptual dimensions of truth commission work, including issues of truth, reconciliation, justice, forgiveness, amnesty, political transition and nation-building (for example, Wilson, 2001; Hayner, 2002; Castillejo-Cuéllar, 2007). Commentators on the TRC process stress the fact that the Commission operated to a large extent within the parameters of international

human rights norms (e.g. Humphrey, 2003) and through these norms aimed to build a new South Africa where reconciliation was a reality. In *Shattered Voices* Teresa Godwin Phelps examines the work of the TRC from the point of view of victims, clearly stressing the personal aspects of the process in all its complexity as well as the Commission's emphasis on storytelling (Phelps, 2004). However, she does not pursue other important, if complexifying, lines of thought: that stories emanated from within a discursive structure and that in telling their stories individuals were encouraged to operate from the subject-position of "victim". For some commentators (e.g. Humphrey, 2002), one contentious aspect of post-atrocity testimony is the state's attempt to "fix" and reinforce memory in a particular way – at least in terms of state rebuilding. Humphrey (2005) deepens the argument by drawing attention to the relationship between the victim, the state and reconciliation. Reconciliation in the TRC, he states, was conceptualized by making victims pivotal in the state's quest for national reconstruction and reconciliation. He points to the fact that while this process was aimed at "redeeming" victims it nevertheless began by "producing" victims. Fiona Ross, too, argues that as a state-sponsored commission of inquiry, the TRC was characterized by pragmatic rationalities for dealing with the past such that the "truth" was produced and managed, not simply acknowledged. Victims' narratives of the past were controlled by the political strategies and goals of the political actors and the objective of reconciliation, notwithstanding the fact that complexities became overly simplified (Ross, 2003a,b).

The discourse surrounding victimhood in the TRC has been an organizing trope motivating new forms of practice designed to manage a category of identity within a multimodal social field – consisting of "victims", human rights experts, psychologists, psychiatrists, legal practitioners, activists and the clergy (Humphrey, 2003). As subsequent parts of this review make clear, the discourse of victimhood is at once powerful, persuasive and seductive, amenable to political agendas, and has ontological effects at the level of subjectivity. In the

TRC discourse, victimhood took shape through a focus on victims as important characters in the process of reconciliation. Stéphane Leman-Langlois's work captures this process: "victims were *called upon* to be willing participants in the process, it was a 'positive' power of seduction, recruitment, in which victims were invited to realize that their logical benefit lied [*sic*] in participation" (Leman-Langlois, 2000:150; original emphasis). Jaber Gubrium and James Holstein's Foucauldian conceptualization of the way discourse constructs subjectivity in the context of social institutions more generally is useful here for it specifies and locates a particular framing of identity. For Gubrium and Holstein, institutions produce "institutional identities" – characterized by "locally salient images, models, or templates for self-construction" (Gubrium & Holstein, 2001:11) – which, on the one hand, serve to structure and attune the individual to a particular subjectivity (in the service of an institution) and, on the other, construct a picture of reality. Indeed, the "institutional identities" that Gubrium and Holstein describe become particularly relevant in the context of troubled identities, such as that of "victim", where such identities enable a particular way for the victim to behave and how she is to be perceived and represented (cf. Aretxaga, 1997; Loseke, 2003).

In large part, then, as an organizing and institutional system the TRC discourse was constructed through the logics and vocabularies of victimhood – in conjunction with the stories of victims. Victimhood, as Laura Jeffery and Matei Candea have put it, "establishes a space for a specific kind of politics; but it clears the ground, it poses itself as the neutral or indisputable starting point from which discussion, debates, and action – in a word, politics – can and must proceed" (Jeffery & Candea, 2006:289). This is a point similarly pursued by Statman (2000) and Verdoolaege (2006). In his analysis of the South African reconciliation paradigm, Richard Wilson's work underscores the construction of victimhood and links it to nation rebuilding. For him, what the TRC succeeded in doing was to construct a new identity, that of the "national victim". The suffering of individual victims under Apartheid, he argues, was brought into a

public space for the purpose of constructing a new national imaginary. "At ritualized HRV [Human Rights Violations] hearings, suffering was lifted out of the mundane world of individuals and their profane everyday pain and made sacred in order to construct a new national collective conscience" (Wilson, 2000:80).

Michael Humphrey's analysis in *The Politics of Atrocity and Reconciliation* is also significant here. Humphrey brings an important point to the fore in his theoretical intervention, arguing that "victims" of atrocities, such as were the focus of truth commissions such as the TRC, were centred upon to, among other things, construct new nations and "consolidate state power" (Humphrey, 2002:10). Alongside, he offers a clear perspective on the manner in which victims were conditioned to participate in a larger political project of nation rebuilding, one in which individuals were constructed as victims – through the process whereby they told the "truth" of their experiences. In this context, and as Humphrey (2002) is keen to stress in work that highlights the relationship between testimony and corollaries such as political power and victimhood, testifying not only represents experiences of victimization, it also takes part in the formation of subjectivities wherein one takes up the identity of victim or perpetrator.

Building on these studies, there is scope for critically examining the role of "discourse" in order to situate the complex workings of the TRC's experiment in "national reconciliation" in a wider analytical frame that takes the construction and mobilization of positions into consideration. Indeed, within the substantial body of literature related to the TRC, analyses have not necessarily given consideration to or have been somewhat underdeveloped with respect to the discursive terrain of national reconciliation. The language of many studies convey particular assumptions about what counts as knowledge, and are often aligned to particular – uncritical – visions of reality. The TRC process is taken far too much at face value, with the focus of the knowledges around them being simply descriptive or prescriptive. Objects of study are reduced

to their evident factors (such as human rights, atrocity, etc) and not placed in a wider context – how meanings, discourses, positions and identities are constructed, defining not only ways of “seeing” but what is seen and what can be said. Given these failings, these studies certainly cannot point to the fact that it is instructive to think of truth and reconciliation particularly as a set of discourses – united in some aspects but contending in some others – and that they bring to the fore the question of the role of authority figures in managing human well-being through various discourses running parallel to the circulation of power. These discourses are not simply about “truth” and “reconciliation” in an ordinary sense, even though these are important; they are also about issues such as human rights, social transformation, the capacities of state agencies and expert knowledge and the participation of individuals, groups and communities. This is so because the South African reconciliatory framework is not exhausted by the study of truth and reconciliation as a neutral discourse or practice. It is this awareness of the fact that there is more to the TRC than meets the eye that the discourse theory literature can help to address, especially as I work with the knowledges and practices clustered around the discourse of victimhood and the participative capacities of victims.

2.3 Discourse theory

Although the TRC literature offers rich insights into the workings of truth and reconciliation as mediated by the logic of victimization, it provides relatively little help when it comes to understanding how discourses become mobilized and appropriated within the context of the hearings. The discourse theory tradition, on the other hand, has much to offer and it will prove most useful for interpreting the empirical data.

Discourse points to a “reality” that we, as subjects, only have limited influence upon, shrouded as it is in ideas, norms and rationalities that govern what is in fact *sayable* and by whom (Parker, 1992; Hall, 2001). This is as a result of the fact that such discourses are at once constitutive and constituting, constructing, amongst others, process, organizational structure, subject-positions and systems of knowledge as well as governing action within any given arena (Fairclough, 1992; Rose, 1999). Crucially, discourses construct representations of the social world and situate subjects within them. In his important book *Language and Symbolic Power*, Pierre Bourdieu presents an interesting view of discourse. He regards it as diffusing through the linguistic (language), extending into cognitive and corporeal realms, to alter the way individuals think of themselves and how they relate to dominant visions of the world. Even more, discourses according to Bourdieu are defined by and embedded into symbolic power structures that define relations in wider society (for instance, economic and political relations of domination), and so any conception of discourse must also take into account not only power politics but the various institutionalities – structures, institutions, authorities and activities – that govern what can be said and by whom (Bourdieu, 1991:1–31).

In their germinal work, *Discourse and Social Psychology* Jonathan Potter and Margaret Wetherell point out that all discourses are tainted by ideological and political motivations and thus privilege certain interpretations of the ontological world (Potter & Wetherell, 1987). As with work done within critical psychology emphasizing poststructuralist approaches, theirs is an attempt to challenge the idea of the fully self-conscious, self-directed individual (also Stainton Rogers *et al*, 1995). In what is representative of the genre, Michael Billig points out: when individuals speak “they do not create their own language, but ... use terms which are culturally, historically and ideologically available” (Billig, 2001:217). This is because discourses produce the very thing they intend to illuminate, constructing reality and experience in concrete and material ways (Foucault, 2002). Thus the label of “victim” comes with a manifestly typical

experience and expectations – depending, of course, on who or what the label has come to mean in a particular time and place. This is because the effects that a discourse is able to provoke and the ways that thought and action are shaped and governed by words “function in connection with other things”; that is, “what it makes possible, the surfaces, networks and circuits around which it flows, the artifacts and passions that it mobilizes and through which it mobilizes” (Rose, 1999:29-30).

What discourse theory (especially of the Foucauldian variety) stresses is that discourses do *more* than designate things; a discourse does not merely describe an action or thought. For Foucault, discourse is *creative*, constructing specific aspects of reality. A discourse is constructive in that it “finds a way of limiting its domain, of defining what it is talking about, of giving it the status of an object – and therefore of making it manifest, nameable, and describable” (Foucault, 2002:46). In invoking the term “discourse” Foucault is interested in two things. Firstly, those sets of statements that recur in talk and texts of all kinds and in different historical periods, and secondly, contexts, those locations where they take on different connotations and configurations (Foucault, 2002:89–98). For Foucault discourses of any kind – whether economic, biomedical, psychiatric, psychological religious – are historically specific, regulated systems of statements that both construct and regulate knowledge and social practices of various forms. Discourses do not refer to a single, all-encompassing state or condition but represent the existing knowledge about a particular theme, object or subject at a specific historical juncture (Hall, 2001). Yet, as much as discourses are powerful and exerting, they are always fragmented, limited and provisional, laden with “gaps, voids, absences, limits, divisions” (Foucault, 2002:134).

For Foucault, the significance of a discourse is linked to its truth-claiming quality – the fact that it professes to describe reality authoritatively and objectively. As truth claims, therefore,

discourses are not neutral but imbricated with power. Put differently, the power to define is the outcome of a discourse so that discourse can be both an instrument and an effect of power. Following Foucault, Stuart Hall builds on the case of discourses such as “madness” to suggest that a discourse only exists meaningfully *within* the often plethoric discourses about it. “The concept of discourse”, he reasons, “is not about whether things exist but about where meaning comes from” (Hall, 2001:73). This is because a discourse is not a closed system; rather, it draws on elements from other discourses and translates them into its network of meaning whilst foreclosing other ways of thinking about the topic (Hall, 2001). Also building on Foucault, Gillian Rose brings a useful current of meaning to her definition of discourse. For her, it “refers to *groups of statements which structure the way a thing is thought, and the way we act on the basis of that thinking*. In other words, discourse is a particular knowledge about the world which shapes how the world is understood and how things are done within it” (G. Rose, 2007:142; emphasis added). Subjects, for instance, are located within specific discourses (Edley, 2001) and are produced by them. Furthermore, discourses determine the way we see and talk about the position and subjectivity of the subject.

Notwithstanding its usefulness, the whole idea of discourse, with its focus on discursive strategies, does underestimate the complex nature of human agency. Agency is disempowered in the face of stable strategies of discourse, which leave unexplained questions of how individuals exercise their powers of action. While this question does not fall within the scope of the present study, it might be useful to broaden the theoretical terrain by asking if it is possible for discursive strategies to be taken up in countervailing terms and used strategically by the subjects being constructed and positioned. One could argue that storytelling, the kind promoted at the TRC, provided an important mechanism for victims to lay claim to discourse and their subjectivity for acts of resistance/subversion/transformation. In this sense, then, a

relevant question would be: how do subjects make use of the sites, strategies and discourse of victimhood and participation to serve their own ends?

2.4 Subjectivity and Subject-positioning

Subjectification for the Foucauldian is not solely about domination or subordination but about the processes of being constructed as a certain type of subject. For Foucauldian thinkers like Nikolas Rose subjectivity refers to self as expressed through discourse, to the extent that discourses are understood by focusing on how ways of “talking” about an issue locate selves in particular historical and institutional contexts (Rose, 1996a). More broadly, subjectivity is “the condition of being a subject, dynamic and multiple, always positioned in relation to particular discourses and practices and produced by these – the condition of being a subject” (Henriques *et al*, 1984:3). It is the case that individuals will at any time be simultaneously located in a number of different discourses. Yet, these positions may be contradictory, allowing for individual agency in accounting for self or experience – often in resistance terms.

Underpinning the interpretation of subjectivity are two main theoretical strands. In the humanistic and phenomenological tradition subjectivity is based on conscious, autonomous self-definition whereby the subject is a given, a fixed empirical reality as well as the source and centre of experience (Wetherell, 1994). In the critical anti-humanist vein, subjectivity emerges as being both constitutive and constituted and bringing together the role of positioning: subjects are positioned within a “discursive complex” and so experience themselves in the way required by that complex (Parker, 1994; also Hollway, 1984). By problematizing and complexifying the very notion of the subject, “criticalists” generally examine the powerful effects of discourse, especially the positioning of subjects and the role of discursive formations

in constituting worlds and fields of intelligibility. Therefore they pose a serious challenge to traditional assumptions about the “nature” of subjectivity (Henriques *et al*, 1984). Within a critical orientation, the subject is variously presented as constituted and given to materialization within discourse (e.g. Parker, 1994; Rose, 1996b) but in many situations also identifiable as an active discourse user capable of resisting or disturbing dominant discourses (Potter & Wetherell, 1987). Indeed, from the perspective of governmentality subjectivity emerges as discursively constituted, and discourses “are embodied within complex technical and practical associations and devices that provide ‘places’ that human beings must occupy if they are to have the status of subjects of particular sorts” (Rose, 1996b:53).

Because subjectivity is a process that takes form in a specific historical, cultural and sociopolitical context, it is for the most part influenced by discourses circulating in the social fields where the subject is situated (Foucault, 1988; Weedon, 1997). Whether it is played out in families, prisons, schools, asylums, workplaces or truth commission hearings, subjectivity is characterized by the discursive and institutional positions from which subjects act, the discourses that shape patterns of talk and through which individuals experience and make sense of themselves as subjects (Wetherell *et al*, 2001; Frosh *et al*, 2003). For Foucault (2002), subject-positions are foundational to the whole idea of subjectivity. Clearly, his take on subjectivity is situated in the context of power. This power is saturated, for one, in the discourse speakers draw upon to represent themselves and in doing so create and/or position a particular “other” – whether this be a madman, a hysterical woman, or a victim (see also Hall, 2001, Willig, 2001). This discourse, in the first instance, delineates the parameters for what can be thought, said or done. And in this way discourses have “real” effects on the subjects/subjectivities they describe. Through any set of discourses, individuals not only come to occupy *spaces* of subjecthood but also come to know and operate within it. As Carla Willig further explains, discourses “offer subject positions, which, when taken up have implications

for subjectivity and experience” (Willig, 2001:107). More specifically, subject-positions can be said to be relatively end products of discourses which “construct *subjects* as well as objects and, as a result, make available positions within networks of meaning that speakers can take up” (Willig, 2001:110). Drawing from biomedical discourse, Willig uses the example of individuals who, when they experience ill-health, automatically take up the subject-position of “patient” which is made available through the discourse and categorizes them as the recipient of expert help. The idea of “positioning” therefore offers insight to the relationship between discourse and subjectivity (Hollway, 1984), and makes it possible to begin to track the linkages they both have with technologies and power.

Positioning theory assumes the person as occupier of subject-positions within discourses as well as within time and space, and so it offers a distinct analytic for exploring how these positions are located within the wider norms of social life (Edley, 2001; Burr, 2002). It builds on a well-established tradition in social psychology that links narrative with identity and interaction. Central to the theory is the view that talk, as a category of expression, reflects discourses that are prevalent (and pre-exist) in the broader social environment. The concept of subject-positioning connects meaning-making (for instance, interpretative repertoires) to the social construction and positioning of selves (Edley, 2001). For positioning to occur, individuals must draw on specific discourses, often in a particular context and to support a specific objective. For example, a government, organization or authority figure may draw on a humanitarian discourse to position certain individuals as “victims” – thus needing help – and, by virtue of this, position themselves as humane, responsible or ethical. This discourse can then be expected to have effects on the way victimhood is conceptualized and understood. Hollway (1984) used the positioning concept as an analytic device to identify the ways in which individuals are situated or positioned within or around the discursive tropes of male sexuality. The act of positioning is discursive in that it refers to the assignment of “role” to subjects in a

particular line of discourse such that the social meaning of what is said contributes to the construction of the position of the individual. Since positioning is subjectivizing it is in many ways connected to the entire means by which power is localized through discourse.

While the Foucauldian idea that subjectivity is a product of positioning in discourses is now often regarded as *de rigueur* in contemporary social science, there is still room “to address the issue of how discursive positions are occupied by subjects” (Hollway & Jefferson, 2000:136). A consequence of addressing this might be to see positions as productive of discourses (and institutions). For example, the discourse available to the subject-position of “victim” is completely different from the discourse that accompanies the subject-position of “perpetrator”. Similarly, the psychic and social spaces available to both subject-positions are different. Thus it would appear that in being situated within a particular subject-position, the individual is obliged to limit her/himself to that the “discursive repertoires” associated with that position (Potter & Wetherell, 1987) – reinforcing the very logics grounding that subject-position in the first place.

Hollway describes individuals’ subjectivities as “the product of their history of positioning in discourses” (Hollway, 1984:228). She explores the links between positioning and discourse, particularly how subjectivity is constituted through the gender differentiated positions in discourses pertaining to sex and heterosexual relations. Her definition of discourse is instructive: “A set of assumptions which cohere around a common logic and which confer particular meanings in the experience and practices of people in a particular sphere” (Hollway, 1984:63). There are two dimensions to Hollway’s overall argument. One, identifying and describing sexuality discourses and exploring the subject-positions these discourses make available to individual men and women. And, two, investigating the extent to which men and women take up particular subject-positions in relation to these discourses. Because the social

discourses surrounding male sexuality regard it as being characterized by “compelling” and “uncontrollable” sexual impulses – what Hollway (1989) terms the *male sexual drive* discourse – it is thus socially acceptable. Constructing male sexuality as driven by a powerful biological imperative, this discourse creates the trajectory for what is an appropriate and intelligible performance of masculinity. From a feminist logic, Hollway (1989) argues that the male sexuality discourses – as “scripts” – are framed by predominantly male heterosexual perspectives, and they shape the ways men and women in different social and cultural positions experience sexuality. Apart from this, these discourses are therefore responsible for creating structural inequalities between men and women, constructing male sexuality in a particular way – as superior and overriding. Hollway’s work is centrally Foucauldian in that it begins with the premise that subject-positions are assemblages of thought, and that discourses basically structure the psychic and social spaces within which individuals act. But it also draws on psychoanalysis and feminist theory, thus going beyond Foucault’s interests in discursive changes over time in order to highlight the struggles between discourses and how subjects engage with or resist a given discourse at a particular time. Applying the psychoanalytic concepts of signification and defence mechanisms, Hollway argues that a discourse not only produces a particularistic set of meanings, it suppresses others. It can suppress, for instance, the subject’s ability to resist these meanings or at least contend with them.

Harré’s positioning theory has been developed as an alternative interpretive tool for the investigation of discursive acts and to that end it has been variously articulated, refined and applied (e.g., Harré & van Langenhove, 1999; Linehan & McCarthy, 2000). Two kinds of positioning are outlined by Harré – “interactive” and “reflexive”. “There can be interactive positioning in which what one person says positions another. And there can be reflexive positioning in which one positions oneself” (Davies & Harre, 1999:37). Both kinds are relevant

in the case of the TRC, although the former is pertinent to my analysis. Indeed, Harré's perspective on positioning offers a useful vocabulary for exploring the process by which a "position" – relative to another one – serves to explain the meanings of actions expressed through it. This vocabulary underscores the process by which "roles" are assigned to participants (or speakers) within the frame of a particular discourse so that what is – or can be – said depends upon the position of the participant (Harré & van Langenhove, 1999). From this perspective, positioning involves an engagement with discourse – in this case, statements – so as to position oneself within sets of interrelated rights, duties and obligations as determined by its conventions and expectations. By accepting a position, a participant conforms to the prevailing norms that underpin a discourse. In the same way, by refusing a position the participant challenges those norms. For Harré, positioning is a way of being in the world. And in this schema, Harré includes relations of power, knowledge, dominance, resistance, submission and so forth. Yet, it is noteworthy that while positioning theory recognizes the power of discourse it also affords dynamism. Thus, participants positioned within a discourse have the opportunity to exercise some degree of choice-making, and also have the capacity to hold multiple positions (Davies & Harré, 1999), with the ability to reflect upon these various positions and the potential to produce different positions amenable to different purposes and occasions (Howie & Peters, 1996).

2.5 Conclusion

The chapter began with an overview of the literature on the TRC. It also looked at the theoretical literature on discourse theory and subjectivity/subject-positioning. It discussed this body of work with the objective of examining how the discourse of victimhood and subjectivity can be theorized in relation to the South African truth and reconciliation process. At the same

time it cast a critical view on normative understandings and effects of discourse and how this produces a specific knowledge of victimhood which not only categorizes and calibrates the subject of victimization – the victim – as nor self-evident but renders her visible and cognizable in the public domain – that is, in the space of testimony. The discourse of victimhood, as this study will demonstrate, works through heavily psychologized discourses (in conjunction with expert knowledges and authority figures) to situate victims in the structures of victimhood, and broadly the structures of national reconciliation. This process is initiated not by imposition but rather by “encouragement” whereby victims are encouraged to be true to their experiences and yet manage their behaviour in terms of delineated markers of victimhood. No doubt, explicating the subjectivity and positioning angles of the TRC discourse of victimhood is important because it paves the way for a critique regarding extant assumptions about truth, reconciliation and the intermediate space of victimhood which encompasses the subject and her position. Indeed, when cast in a critical frame, seemingly neutral discourses implied by referencing victimhood have a clear positioning effect. In my view it is crucial to pay attention to these dynamics, the issue of subject positioning especially as it does open up new ways of perceiving the logic of discourse.

The task for the next chapter is to explore how these divergent yet intertwining theoretical perspectives can help to answer the research questions.

Chapter Three

METHODS OF DATA COLLECTION

3.1 Methodological framing

The previous chapter presented the interrelated concepts of discourse, subjectivity and subject-positioning as constituting the theoretical backbone of this research. To achieve the aim of this research I shall be using a discursive approach, not least because of the possibilities it presents for innovativeness and for answering my research questions. With this in mind, a social constructionist methodology featuring Foucauldian discourse analysis has been adopted for the purposes of this study, in order to engage with the discourses and processes at work in constructing and positioning subjects at the level of the TRC.

This chapter thus situates the study within a qualitative methodological framework that applies discourse analysis to secondary data to achieve its purpose. Characteristic to secondary analysis is the pursuit of objectives different from the kind that drove the original work or the application of specific theoretical or conceptual tools to analysing a pre-existing data set (Hinds, Vogel & Clarke-Steffen, 1997; Singleton & Straits, 1999). I shall be using such data for this research due to their relatively easy availability, the lower cost of procuring them, the possibility of being creative with such data and the minimal ethical risk involved. Because the research will be focusing to a great extent on the dimension of language – that is, the discursive domain – in the hearings of the TRC, my focus basically is on discourse-analysing a small set of documents, supported by the referencing of academic publications in order to situate the study within a wider sociopolitical context.

In this study, then, I shall interpret discourse by analysing it mainly at the textual level. There are two main approaches to textually oriented discourse analysis; based on whether one conceptualizes discourses as primarily manifest in the utterances of actors (politicians or policy-makers, for instance) or whether one sees official documents, such as acts, committee papers, reports, legislation and speeches, as the manifestation of discourses. Discourses are broadly understood to be manifested not just in official documents, but also in institutional practices and discursive events of the TRC hearings. The term “discourse” is used here in the Foucauldian sense, meaning a “group of statements that belong to a single system of formation” (Foucault, 2002:131). Discourses can be understood simultaneously as “ways-of-seeing the world” and “ways-of-being in the world” (Willig, 2001:107). This applies as much to Foucault’s elaborations on “psychiatric discourses” as it does to victimhood discourses as explored here. For the present purposes, I track discourse at the basic level of words but also in mindfulness of the broader social activity that unfolds in a particular intersection of space and time.

The analysis will proceed in two directions. Firstly, I shall do an analysis of discourses of victimhood in the Act and Report of the TRC. Secondly, I also employ discourse analysis techniques informed by positioning theory to establish how certain individuals (in this case, commissioners of the TRC) position subjects discursively. To go about doing the second part of the analysis, I have found the idea of *discursive repertoire*⁴ (Potter & Wetherell, 1987; Wetherell & Potter, 1988; Edley, 2001) tremendously useful as it helps to highlight the ways discourses are organized as well as how they may be used to analyse positioning in testimony situations. Following a line prevalent in their pioneering work *Discourse and Social Psychology* (1987), Margaret Wetherell and Jonathan Potter define discursive repertoires as “building blocks” of discourse; thus, they enable a micro-level analysis of the effects and function of

⁴ Also called *interpretative repertoire*.

discourse in the construction of particular realities (Wetherell & Potter, 1988:168–172). In his discussion about the ways in which masculinities are discursively constructed, Nigel Edley points out that “when people talk, they do so using a lexicon or repertoire of terms which has been provided for them by history” (Edley, 2001:190). In the context of this research, then, discourse analysis is deployed to explicate those *repertoires* – what I take to be the “mini-discourses” that frame victimhood – that function to place a particular narrative frame around particular sets of discourse and thus come to present a particular view of reality through it. Following Foucault, I shall interpret these repertoires as enunciations that privilege specific ways of seeing and also encourage certain practices, and not focus on hidden meanings of any kind. As David Torfing puts it, Foucault “is concerned neither with the truth nor the meaning of actual statements, but with their discursive conditions of possibility. Hence, he draws our attention to the ‘rules of formation’ that regulate what can be said, how it can be said, who can speak and in which name, and what kind of strategies ... can be realized at the level of discourse” (Torfing, 2005:7). Of course, such discourses are not autonomous systems but operate in the context of the institutional mechanisms, practices and supports they are grounded in.

In keeping with the aims of this study, I am mindful of the fact that the validity of discourse analysis cannot be measured in terms of breadth or “depth” of any kind but in terms of quality. “What matters”, Fran Tomkiss suggests, “is the richness of textual detail, rather than the number of texts analysed” (Tomkiss, 1998:253).

3.2 Data Sources

Background literature

In this study, I set out on a long journey to identify relevant literature to frame as well as inform the research. The selection of textual sources was based upon their usefulness and appropriateness to the context of the South African TRC. This was done across a wide array of fields, including but not limited to (critical) social psychology, philosophy, sociology, truth and reconciliation studies and human geography. As I engaged with various journal articles and books, what was critical was the ability to judge a text's potential contribution – directly or indirectly – to the study. To this end, the themes of subjectivity, subject-positioning and discourse, wherever they occurred, were isolated into a conceptual and methodological register that applied to or could be applied to the TRC, and appropriated accordingly.

Empirical analysis

For the empirical aspect of this project I analyse three main texts. The first text is the Promotion of National Unity and Reconciliation Act No. 35 of 1994, especially the section that constructs and frames victimhood. My analysis will be further informed by the examination of two other texts in examining the function of statements from TRC commissioners constructing and framing victimhood in terms of specific discursive repertoires: samples from the TRC Report and transcripts of the hearings. These documents have been made available on the Commission's website and in other published and unpublished accounts. I will analyse these texts as far as they relate to the discourse of victimhood and as they relate to the stated

objectives of the TRC. This would require a focus on the theme of “victim” in conjunction with the discourses surrounding it and how these manifest in the documents in view.

3.3 Sampling and Representation

In discourse analysis, as with much of qualitative analysis, the notion of statistical sampling is generally not the norm. The choice of cases is guided rather by theory, purpose, relevance and the researcher’s interests and understanding of the phenomena under investigation (Patton, 2002). For this reason, I apply purposive sampling in my selection of representative cases. Purposive sampling offers in-depth access to “information-rich cases”, defined as “those from which one can learn a great deal about issues of central importance to the purpose of the research, thus the term *purposeful* sampling” (Patton, 2002:46). This is a different strategy to that of statistical sampling which is concerned mainly with producing generalize-able, unbiased and “objective” data. For the purposes of this dissertation, five testimony transcripts that I considered representative formed the core of the discussion in the section on discursive repertoires (Appendix C). I focused intensively on this selection for my analysis.

3.4 Practical Preparations and Collection of Data

In my analysis I followed Gillian Rose in her prescriptions for doing discourse analysis. She offers a number of strategies for analysing discourse (G. Rose, 2007:141–171):

1. Looking at sources with fresh eyes
2. Immersing oneself in those sources

3. Identifying central themes in the sources
4. Examining the truth effects of those themes
5. Being attuned to complexity as well as contradictions
6. Looking for the invisible and the visible in texts
7. Being attentive to details

I largely went through these seven steps in order to gain access to “meaningful clusters of words and images” (G. Rose, 2007:157) as well as general tendencies and similarities offering insight into the construction of subjects and their positioning thereof. Selected sections of the Act and TRC Report as well as the testimony transcripts were read through in their entirety and then thematic categories – “discursive repertoires” – were noted. Extracts seen as related to each category were engaged with through numerous readings and re-readings, often with a different outlook⁵. There were times when all I sought was a general feel for the material and there were times when I was more interested in isolating specific repertoires used by the commissioners in their talk. Analysis, however, focuses on the discursive repertoires that are used to construct and position subjects within the discourse of victimhood. These repertoires are explored with a view to tracing their foundations, the subject-positions of victim they make possible and the discursive tools used in building them.

3.5 Ethical Considerations

The issue of ethics in social research raises a lot of anxiety. This has been discussed by many authors (e.g. Denzin & Lincoln, 2000; David & Sutton, 2004). Greater ethical concerns demand that researchers be more cautious and at the same time be ethically responsible in the

⁵ Further details about the process of selecting and analysing the transcripts is provided in **Appendix B**.

appropriation of data related to human subjects. This is so because of the risk of exposing sensitive aspects of individuals' lives. The ethical problematic is particularly evident in discursive-narrative research where knowledge is generated through talk within a particular socio-cultural, political and historical context. Even when it deals with human subjects indirectly, qualitative research is inescapably influenced by the epistemological commitments and preconceptions of the researcher and thus the findings it presents must be taken as interpretive – firm but not the final word.

Through contact with the Chair of the University's Ethics Committee, I was careful to explain the nature of my research and to specify the purpose of the study. It was confirmed that ethical approval was not needed for this research since the data employed are public domain material. Indeed, the use of secondary data affords the opportunity to use information without trampling on sensitive issues, a situation often associated with direct contact. But even in my use of published or publicly available material I still had to make my own judgments about what could be presented or excluded.

Chapter Four

DATA PRESENTATION AND ANALYSIS

4.1 Introduction

Thus far, I have explored how systems of knowledge manifest through discourse and also give shape to subjectivity and subject-positioning – in the context of the TRC hearings. I have also drawn attention to the role the discourse of participation played in the light of the storytelling framework of the Human Rights Violations Committee (HRVC) arm of the TRC and signposted the issue of victimhood as discursively constructed in the Commission. In this chapter I look at the realm of the subject, specifically the subjectivity that is cultivated in the official documents of the TRC. To accomplish this and in addition illustrate the theoretical argument in more concrete terms, I also look briefly at the discursive articulation of the importance of participation in inciting individuals to come forward to give testimony. Finally, I look at two repertoires that animate that animated the theme of victimhood in the hearings: the voice of the nation and the voice of empathy.

4.2 Data analysis

Constructing victimhood

At the centre of the work of the HRVC was a shared discourse of victimhood – a major psychological discourse in post-Apartheid South Africa which quickly became appropriated within the political narrative of reconciliation. This discourse arose from the construction of

victimhood in the Promotion of National Unity and Reconciliation Act No. 35 of 1994 and the Commission's Report.

A useful start to the discussion of the discourse of victimhood in the text of the Act is the etymology of the word "victim" – exactly as it occurs within the document. Whilst the specific objective for the Act behind the term victim, rather than, say, "wronged person" or "survivor", was to place a category of people – "victims, and not perpetrators" – as the "beginning, the focus and the central point of the legislation" (Krog, 1998:5), the etymology of the word belies a broader discourse of victimhood. According to *The Chambers Dictionary* the word "victim" has its origins in the Latin word *victima* which describes the creature offered in sacrifice as well as one who has been subjected to torture or some other form of bodily harm (*The Chambers Dictionary*, 1998 ed., s.v. "Victim"). Broadly speaking, the word has a negative, agency-weakening ring to it and can be said to fix individuals in a specific subjectivity or position. But it does have a *do-ing* function. Albeit in a different context Foucault puts it quite aptly: "people know what they do; they frequently know why they do what they do; but what they don't know is what what they do does" (cited in Dreyfus & Rabinow, 1983:187). Following this reason, "physical things exist, but they only take on meaning and become objects of knowledge within ... discourse" (Hall, 2001:73). As Fiona Ross argues about the subject-position that resulted from the prescriptions of the Act, "The resultant legal person, the "victim", produced through occupation of the signs of injury, has a different relationship to the state and legal systems from other citizens" (Ross, 2003a:12). In the case of the TRC this is reinforced because as she is positioned within the discourse she is also drawn into the national project of reconciliation and healing. As Basia Spalek has argued, the definition of the term "victim" not only denotes a passive or helpless individual but involves stereotypes that can end up oversimplifying the complex realities surrounding that very definition (Spalek, 2006).

In this sense, the subject created by the TRC was of a generic victim tortured or otherwise bearing traces of suffering. Section 1 of the Act defines the term “victim” in a broad sense: a person who suffered physically, mentally, emotionally or financially either because of a gross violation of human rights or as a result of certain acts associated with political objectives. The definition also included individuals who intervened on behalf of such a person and it allowed relatives and dependants of victims to be included as well (**Appendix A**).

The discourse of victimhood was also defined by its place within a discourse of participation which was circumscribed sociopolitically by the larger goal of truth and reconciliation. This victimhood discourse gained forcefulness in the sites of its operation and in relation to the commissioners who, because of their position as authority figures, spoke from a position of power. The politics of participation thus worked along with the discourse of victimhood: for the subject of Apartheid-era atrocities to be helped, she must participate. And for her to participate she must be named, represented, given an identity – the subject-position of victim. From the perspective of the TRC, giving identity as victim was in many ways an attempt to offer the self a “horizon from which to take a stand” (Taylor, 1989:27) more actively (see Tutu, 1999:87). Hence within this frame, the logic of participation was essential:

the Commission’s quest for truth should be viewed as a contribution to a much longer-term goal and vision. Its purpose in attempting to uncover the past had nothing to do with vengeance; it had to do, rather, with helping victims to become more visible and more valuable citizens through the public recognition and official acknowledgement of their experiences (TRC Final Report 2003, Volume One:110).

Carefully read, one can see that the Commission’s Report also produced subjects of victimization:

Victims are acted upon rather than acting, suffering rather than surviving ... [W]hen dealing with gross human rights violations committed by perpetrators, the person against whom that violation is committed can only be described as a victim, regardless of whether he or she emerged as a survivor (TRC Final Report 2003, Volume One:59).

In the work of the TRC, the victim was basically categorized as being someone who had suffered “severe ill treatment”. Indeed, according to the Report: “[T]he Commission resolved that its mandate was to give attention to human rights violations committed as specific acts, resulting in severe physical and/or mental injury, in the course of past political conflict” (TRC Final Report 2003, Volume One:64).

Making participation matter

It is noteworthy that the TRC’s operation was marked by populist pleas for victims to come forward to tell their stories and thus participate with government towards the realization of “common” goals. This, however, required that subjects “recognise themselves as part of a public” (Miller, 1993:xxi). This way, individuals functioned not merely as subjects but as citizens as well. In the context of South Africa, it is through this public participatory discourse – emphasizing the need for “bottom-up” involvement by lay citizens – that the interests of subjects become conjoined with more citizenship-centric interests. Indeed, it is through this logic, deployed and translated into a range of settings, that subjects are positioned within the rubric of an imagined community whose hopes and aspirations are shaped at a distance (Anderson, 1991; Rose, 1999). It is also the case that through the storytelling paradigm the Commission’s overall methodological approach to human rights violations inquiry contained a

discursive articulation of participation. In other words, the logic of inviting people to give testimony is in itself a reflection of a broader discourse on participation:

By telling their stories, both victims and perpetrators gave meaning to the multilayered experiences of the South African story ... In the (South) African context, where value continues to be attached to oral tradition, the process of story telling was particularly important. Indeed, this aspect is a distinctive and unique feature of the legislation governing the Commission ... The Act explicitly recognised the healing potential of telling stories' (TRC Final Report 2003, Volume One:115).

Individuals were invited to share their experiences of atrocity through "storytelling" – stories that would be their contribution to building the new South Africa. As the excerpt above shows, storytelling was foundational to the TRC methodology. It unfolded in the interactive space involving victim and commissioner. Storytelling was also, in Foucauldian terms at least, a subjectifying act because it involved a moral obligation to come forward to talk. Subjectification, Foucault was quick to point out, is all about "how people are invited or incited to recognize their moral obligations" (Foucault, 1997:263). It was at the HRVC hearings that victims were given such a space to carry out this obligation. The hearings were semi-formal in nature and victims spoke for an average time of thirty minutes. However, much could be said about the fact that victims' narratives were prompted or guided by commissioners. In fact, commissioners often gave preparatory talks before, during or after each person's narrative began and could ask questions during the time. The implication here is that as authority figures the commissioners' enabling role led to the creation of a certain mindset by the people they engaged with, a view that comes across strongly when examined in Bourdieusian terms. Bourdieu describes how agents of the state are endowed with resources and competencies so that any utterance – along with particular terms of address, metaphors etc. – can be very

powerful because it draws upon “symbolic capital” that emanates from the social order (Bourdieu, 1991:75–76, 1994:8–12). These utterances form an important part of the analysis which follows.

Two repertoires of victimhood

Two main repertoires form the basis of the analysis carried out in this section: *the voice of the nation* and *the voice of empathy*. The discourses the repertoires draw upon are multiple and sometimes overlap. The repertoires identified here emerge from comments and statements of the commissioners, which organize the discourse of victimhood into blocks of narrative, guiding or punctuating individuals’ talk about their experiences of victimization and performing a positioning function at the same time. This positioning is cultivated as part and parcel of the activities of the act of giving testimony and is a subtle provocation and invitation to talk, not an injunction from on high. Indeed, on the one hand, these statements are welcoming, thankful, eliciting sympathy, and so on. On the other hand, though, they express the seriousness of themes such as nationhood, the experience of victimization, participation, storytelling, and so forth.

While the original context of the material I analyse is interactive (that is, between the victims, the commissioners and to some extent the wider audience), for the purpose of this study attention is paid to the commissioners’ talk, since this presents the linguistic-discursive framing in which subjects were positioned.

1. The voice of the nation

In this repertoire nationhood is evoked to position victims and victimhood within a discourse of national reconciliation. Furthermore, victims are deemed to have a “voice”. Thus, they can assume a “vital role” by coming forward to tell their stories, to the end that they would become healed of their sufferings. This message, importantly, carries with it currents of a vocabulary of participation. And it is exercised through a broad discursive frame of public involvement. This has implications for discourse as it takes effect through the subject’s (free) will and rationality. Hence, it is not channelled in a heavy-handed sense.

In order to bring to the fore a clear sense of how this repertoire works in practice, I would now look at excerpts from testimony sessions of the TRC.

Extract 1

Commissioner Desmond Tutu

I greet you today. We welcome you with warm hearts at this fourth meeting of the commission, of the Truth and Conciliation...

We do want to express our deepest sympathy to those who are suffering as a result of the ongoing violence in this province, and express our distress that violence seems to be endemic in these parts. We hope that work of the Commission may make some kind of contribution to the ending of violence, and to the promotion of reconciliation in these parts.

A particularly warm welcome to those who will be testifying, and to their families. Thank you for your generosity, and in this province particularly, your courage in coming forward and exposing your pain to the gaze of the world. Only those who will find what they are looking for can, with any hope of credibility, accuse the Truth and Reconciliation Commission of bias, or of being a witch hunt...

We have deliberately sought that this first set of hearings should be victims' hearings, affording people, many, many of whom have never before had such an opportunity of telling their story...

The whole purpose of the Truth and Reconciliation Commission is to make a contribution to the healing of our nation. The promotion of national unity and reconciliation is the title of the Act that brings us into existence. Almost all who have heard the testimony given at the previous hearings have been deeply moved, and believe that these hearings are indeed contributing to a national catharsis, are contributing to the healing of our nation. The wounds indeed are being opened and cleansed, and balm and ointment is poured on them, and they are being bound up so that they can heal and not fester.

Extract 2

Commissioner Glenda Wildschut:

Monica I would like to thank you very much for coming, it's not an easy task to come before the Commission and to talk about something so painful and so close to you. It must be very-very difficult for you to do anything for yourself properly because as you pointed out you are right handed and your right arm has been shot off. It must be very sad for you everyday when you get dressed in the morning to look at your body and to look at yourself in the mirror and think that once before you had an arm and you were an outgoing person, who was able to go dancing and to enjoy life and now you cannot do that because you feel that in some way, a part of you has been taken away.

Extract 3

Commissioner Alex Boraine:

Started, at the start, but you also had more trouble in '76, in 1977, beatings, shooting, torture. So you have come a very-very long way and we'd like you to tell your story to all of us now, and not only to those in this room, but of course to many-many others who are listening on the radio, or perhaps will watch the television or read about it in the newspapers. You have a story that we all need to hear...

In Extract 1, the commissioner Chairperson Desmond Tutu's words presents victimhood as so obvious, so well-known and basic, that its reality is not just compelling and explicable but

shared by the nation. He does this using a number of discursive strategies. The word “we” and the phrase “our nation” evokes a sense of commonality and sharedness in suffering. The use of “we” also presents the subject as an individual with whom to identify with in some ways, for instance emotionally and physically. In the second paragraph of the extract Tutu emphasizes the fundamental nature of victimhood and also serves a “warrant” of sorts asking for stories about it. His statement is an example of a repertoire that provides a sense of rightness and logic to the national call to participate in the national interest of “catharsis”. In Extract 3, a pre-testimony commentary by Alex Boraine, the commissioner brings to the fore the victim as a willing participant, that is, willing to come from a “very long way” to help by telling her/his story. As a result, he claims, coming forward to share stories is a laudable decision. This decision, moreover, sides with a normative stance deemed to be “responsible”. It also provides a collective basis for rethinking selfhood in terms not far off from terms of nationhood. In this extract, the participatory discourse is presented not as an imposition but as an invitation, an opportunity – which the subject is free to take up or to turn down – to tell her stories. However, it is worth stressing that the call to participate is not by any chance “neutral”: it is about the governing of subjects to think and act in certain manners (Rose, 1989, 1999). Such a focus, however, makes the burdens of freedom even greater in the context of the TRC because it forces subjects to become further objectivized as willing participants in the objectives and aspirations of government.

In Extract 2 the victim is defined in keeping with normalized traits of victimhood: pain, sadness, inadequacy, inferior emotional states and so on. The subjective and political assumptions contained in these norms are obvious to a point (in this case, the individual is the innocent “heir” of an atrocious socio-political dispensation), even though aspects of it remain implicit since it rests upon the notion of normality as largely coterminous with those characteristics ascribed to non-victims. Through the emphasis on what makes the subject different,

assumptions are made about what is considered normal or desirable. Indeed, the commissioner's emphasis upon the difficulty involved in coming to testify before the Commission does little to dampen her professed faith in the victim's ability to talk about Monica's experience. Doing so is a sacrifice for national interest and the victim is thanked for coming to participate. As the extract demonstrates, this repertoire also involves an interesting element of subject-positioning, one that relies on her own position as an authority to construct the victimness of the victim: "a part of you has been taken away". The commissioner refers to the fact that the experience of the victim is a dear one. Examining the extract through the lens of Tutu's statement in the first extract this, arguably, appeals to the storyteller in the victim and can be said to be a viable solution to unburdening the soul, as it were. Again the certitude with which the commissioner infers about the testifier being an "outgoing person" keys into a sense of "expert-ness" that provides the basis for some kind of intervention. Commissioner Wildschut's appeal to the logic of the experience as something "close" implies an insider's viewpoint, invoking a set of discourses about the need to bring this hidden knowledge into the public realm and thus educate the public about the facts.

2. The voice of empathy

Extract 4

Commissioner Desmond Tutu:

We know that this is going to be very difficult for you and it's going to bring back sad memories. But we hope that by talking about the past you are going to be healed inside. Thank you for coming... [T]his is all going to hurt you a lot especially the way that we are

doing, the way we are asking you this questions. But we hope that this opportunity for you to express yourself to get all these out of your chest is going to heal you...

Extract 5

Commissioner Alex Boraine:

We have said many times and we have to say it again that we - we understand that it's not easy. That - to go back and think again of the deep grief that you have endured, takes a great deal of courage and spirit and commitment. And we want to thank you right at the very beginning.

Ms Ngewu I am going to start with you as the chief witness, but all of you of course are important and have your own stories to tell ... Now Ms Ngewu I want you to take your time, I don't want you to hurry, just talk at your own pace, I won't interrupt you unless I want more information ...

Extract 6

Commissioner Richard Lyster:

Thank you very much. Then my word to you must be a very warm word of welcome on behalf of the Commission. It's not a very easy thing to be sitting where you are sitting. I am sure that you are feeling just a little nervous and uncomfortable... You can't watch and see what other people do, and where they stand, and where they sit, and you are a pioneer today, and that makes you very special. And we hope that you will be relaxed and feel that

you're amongst friends, and that you can at last tell your story, not only to the Commission, not only to this audience in Durban, but throughout the country. We are very, very glad to see you today, and we wait to hear your story...

In Extracts 4, 5 and 6 above, the commissioners present the voice of highly knowledgeable but empathetic experts: the three of them speak authoritatively but with measured reassurance, perception and understanding of the victim's concerns. This personal touch from the commissioners validates the stories about to be told and it courts the subjects' and the audience's emotional involvement. What emerges, as a result, is a sense of authority that avoids being authoritarian or preachy. Yet, this voice is inescapably authoritative and backed by institutional power, specifically power to define the parameters of victimhood. Regardless of intention, the commissioners frame victimhood as something to be expressed. Indeed, this is the case because discourses are powerful, shaping and suggestive.

In Extract 4, Tutu not only displays an orientation towards empathy and compassion, he presents himself and the government as responsive to the nature of victimhood. The sub-text of this account is that "they" are caring, thoughtful and actively engaged in finding solutions to the plight of the victim. A sympathetic tone is conveyed through techniques such as emphasizing their comprehension of the pain of being a victim "we understand". Another technique is to lay emphasis on the effects a circumstance has had on the emotional state of the victim: in this case to result in "sad memories". By weighting heavily the ability of the individual to tell her story, Tutu not only allocates some of the "content" of the victim's subjectivity (see Burr, 2002), he presents the decision to come forward as rational, reasonable and practical. Tutu warns that telling stories would "hurt" but he understands. The hurt aside, the victim would be able to get rid of all the pain being carried and become healed as a result. In this extract, the discourse of the future is invoked and is directly linked to the interest of the

victims: healing is in the future but it is to the benefit of the one telling her/his story. In Extract 5 Boraine speaks persuasively, drawing on this repertoire to portray victims as wronged – suffering what he calls “deep grief” – but still going strong urges the testifier to take her time. But before saying this he reminds her as well as the other people testifying that they are important.

Worth recognizing here is the fact that the subject is constructed in these extracts through a broader language of therapy. From the perspective of this repertoire victimhood is looked at as an obstacle on the path to becoming a free individual. This is made evident in this repertoire through words carefully selected and combined for strategic therapeutic purposes. Good intentions notwithstanding, in his book *Governing the Soul* Nikolas Rose is suspicious of therapeutic interventions that flow from government. His critical historical perspective on “psy” practices – including psychotherapy, social work and counselling – offers a variety of insights (Rose, 1989:7–9). It does shed light on the problematic nature of classifying the victim, implicitly or explicitly, as deficient (having a need), weak (being needy) and an object of “healing”. This image of victimhood is in a large sense the product of a psychologically constructed way of reasoning, one that is prevalent in the discourse of therapy/healing (Rose, 1989:255–258).

Chapter Five

INTERPRETING THE DATA

While an extensive analysis of discourse was not undertaken here, this study has nevertheless been able to raise the importance of analysing discourse as knowledge about an object – for instance, “victimhood”. This research also used the concepts and methods associated with discourse analysis to develop a critical analysis of knowledges and practices related to truth and reconciliation. As my analysis has shown, knowledges and practices bring the object into social reality and not the other way round. As my analysis has also shown, there are many intersecting discourses around victimhood, each producing and positioning the victim in its own way. In this study the discourses include the discourse of victimhood itself, the psychological discourse of therapy/healing, the discourse of participation, the discourse of truth and reconciliation and the discourse of the future.

On the whole, victimhood in the context of this research has traversed distinctive discourses and practice of truth and reconciliation – in the context of a post-Apartheid future to which citizen-subjects are said to have a stake (Tutu, 1999). This post-Apartheid future, built on the back of a discourse of national unity and reconciliation, is captured by the likes of Desmond Tutu’s promotion of a future-orientated discourse of nation-building that is seen as taking on a pragmatic stature in that it allowed citizens and the nation to work together for the objective of reconciling deep divisions (Boraine, 2000).

Bringing a Foucauldian lens to all these meant paying attention – first and foremost – to both the formation and effects of these discourses. The Foucauldian analytic thus employed, especially in the focus on subject-positioning, has laid emphasis on the fact that these

discourses are shaped through the medium of language – not as groups of signs but as a coherent system of practices that produce the objects of which it describes. Discourses, then, do not merely describe the social world, but are the avenue through which the world of “reality” emerges. Besides, they contain subjects and construct objects (Parker, 1992). Yet, as they form objects and subjects, discourses go beyond the linguistic realm with attendant material effects. Indeed, at the institutional level of the TRC, these effects came to the fore through the layers of meaning brought to terms, metaphors and modes of understanding projected by specific types of discourses and repertoires. I analysed these in terms of the construction of victimhood, the logic of participation and in the light of two interpretive repertoires: *the voice of the nation* and *the voice of empathy*.

Broadly, the discourse of victimhood was at once internal and external to the testifying victims. Seamed to the Commission’s objective of fostering national reconciliation, the discourse entered into, opened up and shaped subjectivities through the construction of the identity of the victim in the Act and also through victims’ participation in the basic element of the Commission – victim hearings through which stories of victimization emerged. The veracities of the construction of victimhood in the Act and hearings are crucial. The first implication is that victimhood is clearly embedded in a psychological discourse which accords importance to status of “victim” and the way it functions, what it makes possible, the sentiments it mobilizes and the regimes of truth constituted around it. The status of victim was an inherent aspect of the TRC’s discourse of victimhood, and it is through this prism that individuals that suffered Apartheid-era atrocities are positioned as needing restoration emotionally, mentally, rationally and economically by authority figures and expert knowledges in the TRC hearings. The second implication is one of the broader objective of simultaneously allowing the individual to participate in acts of citizenship, yet constructing frameworks within which subjectification is managed (Rose, 1999, 2000). Connected to this is the fact that in the TRC participation, along

with the practices that strengthened it, was constitutive of what Rose (2000) has termed “games of citizenship”. On the one hand, these games activate people in ways reflective of a broad politics of governance premised on national reconciliation (Andrews, 2003; Humphrey, 2005). On the other hand, they “make certain actions thinkable, possible and meaningful” and in like manner “shape what it is to be a citizen” (Rose, 2000:97). Arguably, in the case of the TRC, this formula was productive and had its own share of practical potentialities. It operated for the most part on the belief that individuals could be made to realize the objectives of truth-telling and reconciliation. Through their commitment to play a part in the process of giving testimony individuals could in fact become active – not passive – citizens in the new social order.

In this call to action, language determined the thinkable and the doable. This is because discourses do not only express, for example, the meaning of victimhood; they in fact make it possible to produce meanings about it. Discourses therefore also construct the phenomenon, in this case victimhood and the subject, in practice. It is not possible to produce meanings that are ultimately practices other than by the tools provided by discourses: discourses create conceptualizing spaces in which we can talk about or conceive a thing. In order for such discourses to be successful, the subject was first made aware of her condition, which itself was accomplished via an appeal to a body of knowledge that established the “truth” of causation and manifestation. The network of TRC commissioners’ statements has been a rich source of material to illustrate this. Thus, in this context to recognize oneself as a victim is to be made cognizant of the experience and the condition of victimhood, which are actively reinforced by the proclamations of expert authorities. Even though this analysis has been skewed to highlight the positioning effect of the commissioners’ comments, expert knowledge cannot be said to have achieved its aim until the subject actively constructs her stories in relation to these comments, and conceives of her subjectivity and experiences as consistent with or capable of

coinciding with the enunciations of expert authorities. Indeed, once the individual takes up a subject-position as her own, she inevitably “sees” from and through that position. Her seeing becomes further reinforced by the particular images, metaphors, concepts and stories which are made available within the discursive frame in which she is positioned and operates from.

The Foucauldian approach I have taken in my analysis has drawn attention to how subjects are created as well as to the ways in which the TRC commissioners used a multitude of discourses surrounding victimhood to position subjects as victims. What this has enabled is the ways in which particular subjectivities are created and mobilized. In a way, the discourse of victimhood – and the assemblage of procedures built up around it – manifests as a project of subjectivity, one that has evolved over time to reflect a dominant view of the subject. The study has also disturbed the idea that victimhood – or victimization for that matter – necessarily conflates with an essentialized view of subjecthood. It has thus taken issue with a naturalizing view of victimhood, assumed to be fundamental to the victim’s selfhood or subjectivity, but with the effect that individuals are invariably reduced to that status.

Chapter Six

FINDINGS AND CONCLUSION

6.1 Main findings

This dissertation has adopted a discursive perspective to interrogate subjectivity and the discourse of victimhood that operated within the TRC's participatory framework of victim hearings. The study has been able to foreground an analysis that is theoretically informed, empirically grounded and critical. In the context of this study, this has been achieved because it is not the duty of the discourse analyst to set criteria for what *is* and then measure phenomena against this standard. Rather, the analyst's role consists of examining what has been said and what they imply – what is effectively based on an analytic reading of the texts, influenced by theory and personal judgement.

My understanding of victimhood as a discursive site has been a crucial element of the study. Differing from essentialist approaches, I have not assumed that victimhood has a foundation outside of discourse or of discursive practices. Instead, I have treated victimhood as “a site of a multiplicity of practices or labours” (Rose, 1996c:300) that have been shaped within discourses and their associated institutional locations that, over time, have changed the nature of what is known and experienced as “real”. It has emerged from this analysis that through diverse authority figures – or experts – who employ expert knowledges or discourses the TRC was able to carry out the national vision of reconciliation. Making the notion of victim a touchstone in the TRC was effective because it drew on a widely-shared understanding that it will be the victim whose life would be influenced most by the process of truth-telling, healing and national reconciliation. In many ways, however, it produced the victim as being able to

participate in that very process by being a part of the hearings conducted by the Commission. As a relational subject caught up in a triad of expert-self-audience, the victim was positioned in line with a range of discourses, practices and norms which would enable aspects of the self to be problematized and accessible as well as subject to various disciplinary practices, in a choreography of truth-telling carefully orchestrated by the commissioners.

It has also emerged from this study that the discourse of victimhood in the TRC is not a discrete or monolithic set of ideas or practices but is made up of many interwoven discourses which mediate subjectivities and subject-positions and make problems intelligible and manageable. These discourses are steeped in a diverse range of assumptions, beliefs, norms and vocabularies about the subject as well as about capacities of individuals to act, freedom and responsibility (see Rose, 1999). Rather than seeing victimhood as an essential state, it is more productive to see it as socially and discursively determined by a community of human agents. Hence it is the case that the “truth” about victimhood (or reconciliation for that matter) is far too complex to warrant an easy analysis; thus its parameters must be negotiated within a vast field of knowledges about how subjects and subjectivities are produced and positioned.

Given the nature of the overlap between the discourses at work at any time, victimhood cannot be “read” as a single discourse within the TRC because other discourses operate simultaneously with it, setting the frame for what it was possible to say or do. Overall, the study has demonstrated how sophisticated discourses, norms and values about what is desirable and possible operate, and the kinds of effects they produce. The study has offered a broad, “macro” look at the discursive practices, altogether an aspect of a complex web of institutions, agents, norms and practices of the TRC proceedings. This was done through a focus on aspects of the discourse of victimhood as it played out in the official documents and hearings

of the Commission, and – relatedly – through a study of language use in the statements of the TRC commissioners.

As this study has demonstrated, assigning positions involves the aligning of subjects to discourses as well as to social structures such as institutions, actors and programmes. Indeed, subject-positions play out through institutional identities and subjectivities, operating together with the complex nexus of factors that fashion an individual as a specific kind of subject. As I work from the premise that positioning is discursively achieved, in this study I was able to establish the ways in which authority figures employed two kinds of repertoires to present knowledges about victimhood and to position subjects at the same time. Stuart Hall's thought on the subjectifying role of knowledge buttresses this point: "The knowledge which a discourse produces constitutes a kind of power, exercised over those who are 'known'. When that knowledge is exercised in practice, those who are 'known' in a particular way will be subject (i.e. subjected) to it" (Hall, 1992:295). Discourses specify subject-positions for the subjects to take up, but as the wording of the Act shows it is the enactment of those discourses that made positioning possible.

Besides, the notion of positioning further directs us to closely examine how social reality is physically and symbolically realized in interaction – in the interplay of discourse, situations and locations. The research brought home the part played by discourse not only in the reification of victimhood but the construction and positioning of the subject, and the value of the study as such is the possibility of looking at the "order" of discourse as well as the vagaries of subjectivity. In the case of the TRC, discourses created and legitimated the storytelling arenas of the hearings by classifying the subjectivities and positions of various individuals – in this case, "victims" – with national reconciliation. Finally, through discursive repertoires drawn on by the commissioners discourses shaped the possible range of behaviours and actions in line

with a delimited set of values coterminous with the national vision of reconciliation (often in conjunction with an overarching therapeutic disposition).

6.2 Limitations of study

This study, overall, reveals useful information to begin a reimagining of the South African truth and reconciliation process in terms of victimhood. With that said, however, there are some limitations to the overall analysis. For one, because the subject's response to the ways in which she was positioned in relation to discourses and repertoires was not considered, few clues have been yielded as to how effective the various discourses and strategies described in the analysis were. Few clues have emerged too about the capacity of discourse to restrict the scope of human agency and also the potential for contesting its limits and strictures. This would have been useful for gaining a nuanced understanding of agency and its specific enactments, especially whether an individual's participation actually represents passivity, conformity or resistance to these discourses – as well as the intersections in places between passivity, conformity and resistance. Thus the picture presented in this study is not complete; I hope that this shortcoming can be remedied in future study.

Furthermore, this study could be improved by greater depth and theoretical and methodological complexity. The main strength of the discursive approach taken here is that it highlights the importance of foregoing the assumption of *a priori* knowledge about victimhood. If anything, the study operated on the basis that if there is to be knowledge, it first has to be discursively constituted. As a methodology, however, discourse analysis is effective (and also weak) to the extent that it stays at the level of discourse, meaning that hidden or unconscious factors do not count. This admittedly does little to show that "discourse" is difficult to tame

owing to the fact that it takes several forms and meanings in different contexts, or that there is much to be said about the (insurmountable) material, psychic and spatial play on the discursive – especially in relation to the settings of the hearings. For the purposes of this project, discourse analysis was employed at the level of the textual to analyse the constructive and functional nature of discourse and its role in the testimony work of the TRC. I however believe that taking discourse as not only more-than-text but also as occurring in the most unlikely places may reveal additional themes as well as open new paths in terms of data. Indeed, research that problematizes discourse *only* in the simplistic sense of the textual in the production and constitution of the social world can become severely handicapped if it assumes it has exhausted reality by that fact. The major shortcoming of much of discourse theory is that it highlights the textual, rather than the immaterial, nature of discourse. Discourse analysis must confront the “stories” not told in official documents or realizable in language. It therefore must confront issues concerning the oral transmission of history and its encounter between politics, memory and subjectivity. It also must confront the psychic by mediating between the trajectories of language and silence.

6.3 Possible directions for future research

Given the limited scope of the present study, it has only been possible to pursue a narrow line of inquiry into discourse, subjectivity and subject-positioning. It is however possible to examine many other cross-cutting issues in-depth at the doctoral level. I believe that the present study offers a remarkable opportunity to examine technologies of citizen participation in the South African foray into national reconciliation, especially as this is increasingly being orchestrated by multiple forms of expertise which are themselves coevolving with new forms of governance and power. Within this scope, it is also possible to look more closely at the ways in which

“expertise” (or “expert knowledge”) as well as registers such as “responsibility”, “empowerment” and “active citizenship” are implicated in the participatory discourse employed by the TRC. Similarly, through the trajectory set out by this analysis it is possible to interrogate the discursive and material processes through which these occur in response to the rising influence of a therapeutic culture (and in fact the therapeutic state) and the corresponding impact of these upon the positioning of therapeutic expertise in contemporary South Africa.

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Appendix A

Abridged version of the PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995

26 July 1995

NO. 34 OF 1995: PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995.

It is hereby notified that the President has assented to the following Act which is hereby published for general information:-

ACT

To provide for the investigation and the establishment of as complete a picture as possible of the nature, causes and extent of gross violations of human rights committed during the period from 1 March 1960 to the cut-off date contemplated in the Constitution, within or outside the Republic, emanating from the conflicts of the past, and the fate or whereabouts of the victims of such violations; the granting of amnesty to persons who make full disclosure of all the relevant facts relating to acts associated with a political objective committed in the course of the conflicts of the past during the said period; affording victims an opportunity to relate the violations they suffered; the taking of measures aimed at the granting of reparation to, and the rehabilitation and the restoration of the human and civil dignity of, victims of violations of human rights; reporting to the Nation about such violations and victims; the making of recommendations aimed at the prevention of the commission of gross violations of human rights; and for the said purposes to provide for the establishment of a Truth and Reconciliation Commission, a Committee on Human Rights Violations, a Committee on Amnesty and a Committee on Reparation and Rehabilitation; and to confer certain powers on, assign certain functions to and impose certain duties upon that Commission and those Committees; and to provide for matters connected therewith.

SINCE the Constitution of the Republic of South Africa, 1993 (Act No. 200 of

1993), provides a historic bridge between the past of a deeply divided society characterized by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy and peaceful co-existence for all South Africans, irrespective of colour, race, class, belief or sex;

AND SINCE it is deemed necessary to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations of human rights have occurred, and to make the findings known in order to prevent a repetition of such acts in future;

AND SINCE the Constitution states that the pursuit of national unity, the well-being of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society;

AND SINCE the Constitution states that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimization;

AND SINCE the Constitution states that in order to advance such reconciliation and reconstruction amnesty shall be granted in respect of acts, omissions and offences associated with political objectives committed in the course of the conflicts of the past;

AND SINCE the Constitution provides that Parliament shall under the Constitution adopt a law which determines a firm cut-off date, which shall be a date after 8 October 1990 and before the cut-off date envisaged in the Constitution, and providing for the mechanisms, criteria and procedures, including tribunals, if any, through which such amnesty shall be dealt with;

(English text signed by the President.)

(Assented to 19 July 1995.)

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:-

CHAPTER 1

Interpretation and application

Definitions

1. (1) In this Act, unless the context otherwise indicates-

(i) "act associated with a political objective" has the meaning ascribed thereto in section 20(2) and (3); (ii)

(ii) "article" includes any evidence, book, document, file, object, writing, recording or transcribed computer printout produced by any mechanical or electronic device or any device by means of which information is recorded, stored or transcribed; (xix)

(iii) "Commission" means the Truth and Reconciliation Commission established by section 2; (ix)

(iv) "commissioner" means a member of the Commission appointed in terms of section 7(2)(a); (viii)

(v) "Committee" means the Committee on Human Rights Violations, the Committee on Amnesty or the Committee on Reparation and Rehabilitation, as the case may be; (vii)

(vi) "Constitution" means the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993); (iv)

(vii) "cut-off date" means the latest date allowed as the cut-off date in terms of the Constitution as set out under the heading

"National Unity and Reconciliation"; (i)

(viii) "former state" means any state or territory which was established by an Act of Parliament or by proclamation in terms of such an Act prior to the commencement of the Constitution and the territory of which now forms part of the Republic; (xvii)

(ix) "gross violation of human rights" means the violation of human rights through-

(a) the killing, abduction, torture or severe ill-treatment of any person; or

(b) any attempt, conspiracy, incitement, instigation, command or

procurement to commit an act referred to in paragraph (a), which emanated from conflicts of the past and which was committed during the period 1 March 1960 to the cut-off date within or outside the Republic, and the commission of which was advised, planned, directed, commanded or ordered, by any person acting with a political motive; (v)

(x) "joint committee" means a joint committee of the Houses of Parliament appointed in accordance with the Standing Orders of Parliament for the purpose of considering matters referred to it in terms of this Act; (iii)

(xi) "Minister" means the Minister of Justice; (x)

(xii) "prescribe" means prescribe by regulation made under section 40; (xviii)

(xiii) "President" means the President of the Republic; (xi)

(xiv) "reparation" includes any form of compensation, ex gratia payment, restitution, rehabilitation or recognition; (vi)

(xv) "Republic" means the Republic of South Africa referred to in section 1(2) of the Constitution; (xii)

(xvi) "security forces" includes any full-time or part-time-

(a) member or agent of the South African Defence Force, the South African Police, the National Intelligence Service, the Bureau of State Security, the Department of Correctional Services, or any of their organs;

(b) member or agent of a defence force, police force, intelligence agency or prison service of any former state, or any of their organs; (xvi)

(xvii) "State" means the State of the Republic; (xiv)

(xviii) "subcommittee" means any subcommittee established by the Commission in terms of section 5(c); (xv)

(xix) "victims" includes-

(a) persons who, individually or together with one or more persons, suffered harm in the form of physical or mental injury, emotional suffering, pecuniary loss or a substantial impairment of human rights-

(i) as a result of a gross violation of human rights; or

(ii) as a result of an act associated with a political objective for which amnesty has been granted;

(b) persons who, individually or together with one or more persons, suffered harm in the form of physical or mental injury, emotional suffering, pecuniary loss or a substantial impairment of human rights, as a result of such person

intervening to assist persons contemplated in paragraph (a)

who were in distress or to prevent victimization of such

persons; and

(c) such relatives or dependants of victims as may be prescribed.

(xiii)

(2) For the purposes of sections 10(1), (2) and (3) and II and Chapters 6 and 7 "Commission" shall be construed as including a reference to "committee" or subcommittee", as the case may be, and "Chairperson", "Vice-Chairperson" or commissioner" shall be construed as including a reference to the chairperson, vice-chairperson or a member of a committee or subcommittee, as the case may be.

CHAPTER 2

Truth and Reconciliation Commission

Establishment and seat of Truth and Reconciliation Commission

2. (1) There is hereby established a juristic person to be known as the Truth and Reconciliation Commission.

(2) The seat of the Commission shall be determined by the President.

Objectives of Commission

3. (1) The objectives of the Commission shall be to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past by-

(a) establishing as complete a picture as possible of the causes, nature and extent of the gross violations of human rights which were committed during the period from 1 March 1960 to the cut-off date, including the antecedents, circumstances, factors and context of such violations, as well as the perspectives of the victims and the motives and perspectives of the persons responsible for the commission of the violations, by conducting investigations and holding hearings;

(b) facilitating the granting of amnesty to persons who make full disclosure of all the relevant facts relating to acts associated with a political objective and comply with the requirements of this Act;

(c) establishing and making known the fate or whereabouts of victims and by restoring the human and civil dignity of such victims by granting them an opportunity to relate their own accounts of the violations of which they are the victims, and by recommending reparation measures in respect of them;

(d) compiling a report providing as comprehensive an account as possible of the activities and findings of the Commission contemplated in paragraphs (a), (b) and (c), and which contains recommendations of measures to prevent the future violations of human rights.

(2) The provisions of subsection (1) shall not be interpreted as limiting the power of the Commission to investigate or make recommendations concerning any matter with a view to promoting or achieving national unity and reconciliation within the context of this Act.

(3) In order to achieve the objectives of the Commission-

(a) the Committee on Human Rights Violations, as contemplated in Chapter 3, shall deal, among other things, with matters pertaining to investigations of gross violations of human rights;

(b) the Committee on Amnesty, as contemplated in Chapter 4, shall deal with matters relating to amnesty;

(c) the Committee on Reparation and Rehabilitation, as contemplated in Chapter 5, shall deal with matters referred to it relating to reparations;

(d) the investigating unit referred to in section 5(d) shall perform the investigations contemplated in section 28(4)(a); and

(e) the subcommittees shall exercise, perform and carry out the powers, functions and duties conferred upon, assigned to or imposed upon them by the Commission.

Functions of Commission

4. The functions of the Commission shall be to achieve its objectives, and to that end the Commission shall-

(a) facilitate, and where necessary initiate or coordinate, inquiries into-

(i) gross violations of human rights, including violations which were part of a systematic pattern of abuse;

(ii) the nature, causes and extent of gross violations of human rights, including the antecedents, circumstances, factors, context, motives and perspectives which led to such violations;

(iii) the identity of all persons, authorities, institutions and organisations involved in such violations;

(iv) the question whether such violations were the result of deliberate planning on the part of the State or a former state or any of their organs, or of any political organisation,

liberation movement or other group or individual; and

(v) accountability, political or otherwise, for any such violation;

(b) facilitate, and initiate or coordinate, the gathering of information and the receiving of evidence from any person, including persons claiming to be victims of such violations or the representatives of such victims, which establish the identity of victims of such violations, their fate or present whereabouts and the nature and extent of the harm suffered by such victims;

(c) facilitate and promote the granting of amnesty in respect of acts associated with political objectives, by receiving from persons desiring to make a full disclosure of all the relevant facts relating to such acts, applications for the granting of amnesty in respect of such acts, and transmitting such applications to the Committee on Amnesty for its decision, and by publishing decisions granting amnesty, in the Gazette;

(d) determine what articles have been destroyed by any person in order to conceal violations of human rights or acts associated with a political objective;

(e) prepare a comprehensive report which sets out its activities and findings, based on factual and objective information and evidence collected or received by it or placed at its disposal;

(f) make recommendations to the President with regard to-

(i) the policy which should be followed or measures which should be taken with regard to the granting of reparation to victims or the taking of other measures aimed at rehabilitating and restoring the human and civil dignity of victims;

(ii) measures which should be taken to grant urgent interim reparation to victims;

(g) make recommendations to the Minister with regard to the development of

a limited witness protection programme for the purposes of this Act;

(h) make recommendations to the President with regard to the creation of institutions conducive to a stable and fair society and the institutional, administrative and legislative measures which should be taken or introduced in order to prevent the commission of violations of human rights.

Appendix B

On Method of Selecting Samples

Having gathered massive testimonial evidence provided by the transcripts (available online at the TRC website <http://www.doj.gov.za/trc/trc_frameset.htm>), there came a time when it was necessary to establish a strategy for selecting a suitably representative sample that merged scope and coherence together. This involved approaching the transcripts in the old-fashioned way – that is, doing close reading, underlining important paragraphs and categorizing into themes. Eventually, five transcripts were selected from a pool of 33. To guide my selection I asked myself repeatedly: “What kind of devices is this speaker using to account for the other’s experience?”. Also, questions such as: “Why was this said?”; “What functions are fulfilled by making this particular statement?” and “What effects are typically associated with the choice of words/images used?” were asked of the selected texts. The aim was to explore the connotations, allusions and implications of the sentences in order to draw meanings from them.

Working with every page of even a highly narrowed down sample like this still created an enormous amount of material and because of space limitations, very short extracts from the transcripts had to be mined. These extracts not only had to make sense to me, they also had to be good representations generally giving tone to the question of function – *what does a word, phrase or statement do and with what effects?*. To make my job of extraction easier I adopted a simple text mining method to identify the most relevant features of the transcripts following a prepared concordance of words and phrases (see below). This entailed importing the transcripts into the Microsoft Word environment, using the software’s search facility to guide the extraction of portions that I decided was in some way related to my research focus, using the following words and phrases as a guide:

- 1) coming forward
- 2) grief
- 3) healing
- 4) memory
- 5) nation
- 6) pain
- 7) reconciliation
- 8) sorrow

- 9) suffering
- 10) sympathy
- 11) tell story

Process of analysing data pertaining to the 2 discursive repertoires

In analysing my data (specifically extracts from transcripts of the HRVC proceedings) in the section focusing on discursive repertoires I followed an approach used by Edley (2001) in his analysis of interpretative repertoires in relation to masculinity discourse. This analytical procedure, which is quite popular in critical psychology but is no doubt not yet common in other social sciences, gives room for the researcher to analyse data creatively by placing blocks of extracts above the body of the analysis and to draw on them to produce a narrative form.

Appendix C

Analysed transcripts from the Human Rights Violations Committee (HRVC) hearings

Extracts 1 & 6

Source:

TRUTH AND RECONCILIATION COMMISSION

Proceedings Held at Durban on 7 May 1996

CHAIRPERSON (Commissioner Tutu): I greet you today. We welcome you with warm hearts at this fourth meeting of the commission, of the Truth and Conciliation. We welcome you to the fourth public hearings of the Truth and Reconciliation Commission after the meetings in East London, Cape Town and Gauteng.

We do want to express our deepest sympathy to those who are suffering as a result of the ongoing violence in this province, and express our distress that violence seems to be endemic in these parts. We hope that work of the Commission may make some kind of contribution to the ending of violence, and to the promotion of reconciliation in these parts.

A particularly warm welcome to those who will be testifying, and to their families. Thank you for your generosity, and in this province particularly, your courage in coming forward and exposing your pain to the gaze of the world. Only those who will find what they are looking for can, with any hope of credibility, accuse the Truth and Reconciliation Commission of bias, or of being a witch hunt. The previous three hearings have shown how determined we are to be completely even-handed and unbiased. The whole political spectrum has been represented in those hearings, and I am certain these hearings here will be no exception to that characteristic. All sides of the conflict of the past have been, and will be, represented. We cannot pretend that we are not sad at the fact that a very substantial, very important role-player in the IFP at the present time does not seek to co-operate with the Commission. But if no one comes from their side to tell their story it won't be the TRC that has to bear the blame for being one-sided.

We have deliberately sought that this first set of hearings should be victims' hearings, affording people, many, many of whom have never before had such an opportunity of telling their story. Those who may be named will be given, or have been given, what we consider to be reasonable and timeous notice, so that they can make representations. We want to give an assurance that we will, as soon as possible, give such persons the opportunity to tell their side of the story, and perhaps accord them the privilege of limited cross-examination of those who have so accused them.

The whole purpose of the Truth and Reconciliation Commission is to make a contribution to the healing of our nation. The promotion of national unity and reconciliation is the title of the Act that brings us into existence. Almost all who have heard the testimony given at the previous hearings have been deeply moved, and believe that these hearings are indeed contributing to a national catharsis, are contributing to the healing of our nation. The wounds indeed are being opened and cleansed, and balm and ointment is poured on them, and they are being bound up so that they can heal and not fester.

I repeat my urgent appeal to everybody, but mostly to our brothers and sisters amongst the Afrikaans-speaking community. Everybody knows that when an Afrikaner sees the light, and recognises it to be the light, then nothing can hold him back, he becomes very enthusiastic. An Afrikaner gives his best. We are a very odd community. We were created by God the Father out of His love for us all, and we were redeemed from evil by the blood of Christ. He led us out of the slavery of sin, and now God, the Holy Spirit, dwells in us all. We are people of grace. Almost everybody who has testified before us thus far are people who are not looking for revenge. They don't carry hatred around in their hearts. They simply want to know the truth, and then they are prepared to forgive. The Afrikaner can make a huge contribution to the healing and reconciliation which is taking place in our country. There is a great challenge and a big role for him in our life in this country, and I therefore repeat my urgent appeal to all of us. Please if you would just repent, if you would just confess, people will be prepared to forgive, then we can all be healed. We have the example of the Churchman whose letter we have read.

(Incomplete) ... are only the first four, and because they have been of symbolic significance they have been fairly large hearings. After these we intend to split up as the Human Rights Violations Committee, perhaps one Commissioner with one Committee Member, and to have often simultaneous hearings in as many parts of our country as possible, to give as many people an opportunity as possible to tell their stories. We will not make an immediate finding in these hearings. That will happen a little later.

Those who give evidence here enjoy the same privilege as would happen in a court of law. If a witness deliberately gives the Commission false testimony then he or she will be guilty of an offence, as would be the case in a court of law. This is not a court, but we know you will conduct yourselves with proper decorum. As I have said before, I do not wish to invoke the powers vested in me.

Thank you to all who uphold us in their prayers as these hearings get under way, and so I declare this session of the hearings open. I want to hand over now to Dr Borraine, but before I do so may I first of all introduce the panel that is here with me.

Emily Sikadi Magashule

MR LYSTER: Thank you very much. Then my word to you must be a very warm word of welcome on behalf of the Commission. It's not a very easy thing to be sitting where you are sitting. I am sure that you are feeling just a little nervous and uncomfortable, because you are the very first. You can't watch and see what other people do, and where they stand, and where they sit, and you are a pioneer today, and that makes you very special. And we hope that you will be relaxed and feel that you're amongst friends, and that you can at last tell your story, not only to the Commission, not only to this audience in Durban, but throughout the country. We are very, very glad to see you today, and we wait to hear your story. Before you do that I must ask you to please stand.

MR LYSTER: Thank you, you may be seated. Mrs Magashule, for everyone who comes before the Commission we ask one of our Commissioners or Committee Members to assist that person as they tell the story. We want to underline, however, that it's your story, and only you can tell that story. And today I am going to ask my colleague, Dr Khoza Mgojo, to assist you, and I am going to hand over to him now. Thank you.

Mrs Magashule, can you just help us a little. We know that you've been deeply hurt, you want to come here and tell us everything. I will ask you to start relating your story to us. You can now start. (Pause) Let her remove her earphones so that she can tell us her story.

Extract 2

Source:

**TRUTH AND RECONCILIATION COMMISSION
VICTIM: MONICA DANIELS
NATURE OF VIOLENCE: SHOT BY POLICE
TESTIMONY FROM: MONICA DANIELS
Proceedings Held at Cape Town on 7 August 1996**

Glenda Wildschut: Monica I would like to thank you very much for coming, it's not an easy task to come before the Commission and to talk about something so painful and so close to you. It must be very-very difficult for you to do anything for yourself properly because as you pointed out you are right handed and your right arm has been shot off. It must be very sad for you everyday when you get dressed in the morning to look at your body and to look at yourself in the mirror and think that once before you had an arm and you were an outgoing person, who was able to go dancing and to enjoy life and now you cannot do that because you feel that in some way, a part of you has been taken away. And we feel that we would like to assure you that the Commission will do particularly the reparations and rehabilitation's committee will do whatever we can to try and make it a bit more comfortable for you. I think that it is possible that a artificial limb can be fitted onto your shoulder very comfortably and that you'll be able to use it in a way that will make your life a little bit better. Apart from the other request that you have made, I wish you very well and we have listened to everything that you have asked us. Thank you for coming.
--- Thank you.

Extract 3

Source:

**TRUTH AND RECONCILIATION COMMISSION
VICTIM: Nomakula Evelyn Zweni
VIOLATION: shooting, torture and beating
TESTIMONIES FROM: NOMAKULA EVELYN ZWENI
GIRLSIE NYENYEMBEZI
Proceedings Held at Cape Town on 22 August 1996**

DR BORAINÉ:

Started, at the start, but you also had more trouble in '76, in 1977, beatings, shooting, torture. So you have come a very-very long way and we'd like you to tell your story to all of us now, and not only to those in this room, but of course to many-many others who are listening on the radio, or perhaps will watch the television or read about it in the newspapers. You have a story that we all need to hear. And Pumla Gobodo is going to help you as you tell that story.

Extract 4

Source:

TRUTH AND RECONCILIATION COMMISSION

VICTIM: Fuzile Petros Juqu [son]

VIOLATION: KILLING

TESTIMONIES FROM: Nodwzakazi Juqu [mother]

MR JUQU

Proceedings Held at Cape Town on 23 April 1996

CHAIRPERSON:

We know that this is going to be very difficult for you and it's going to bring back sad memories. But we hope that by talking about the past you are going to be healed inside. Thank you for coming. The lawyer Mr Ntsebeza is going to help you while you are trying to tell us your story.

CHAIRPERSON:

I had already welcomed you, I mean now that this is all going to hurt you a lot especially the way that we are doing, the way we are asking you these questions. But we hope that this opportunity for you to express yourself to get all these out of your chest is going to heal you. Mr Dumisa Ntsebeza is going to help you along with the story.

MS SOOKA:

Sir this is a very difficult question that I am going to ask you now, I am going to ask you in English. I think we cannot even miss the pain and the sorrow because it is reflected in your face. There is the question of whether you might want to meet the people or the person who killed your son. What - what is your thinking about that?

CHAIRPERSON:

Sir and you madam we know we cannot - we can never say we are God's we cannot even say that you - we can - we can make things right again for you. We are all people and we come from this **apartheid** and it's heartships.

As you have said that the operation has put you into heartship, and we can - we also can never forget what happened in our country. We would like it to change as Ms Burton has said in our country if - if a teenager hasn't come home at a time when you said he must come in, we wouldn't like to go to hospitals and prisons and mortuaries.

We would just say now - we would prefer to say now my child has just went away with his friends. For us to be able to reach that stage, it is because of people like you, people who had come forward. People who were victims, it is those people who are - who have made us to be here today.

We would like co-operation between whites and blacks so that in this new South Africa there should never be a day again where all these things that happened in the past should happen again. We wouldn't like a time to come when a father and a mother to come again in a - to

something like this Commission only to tell us that I found my son's shirt torn by bullets as if it was eaten by rats. We thank you for coming up here.

Extract 5

Source:

TRUTH AND RECONCILIATION COMMISSION

VICTIM: Christopher Piet [son]

VIOLATION: KILLING

TESTIMONY FROM: Cynthia Ngewu

IRENE MTSINGWA

MS KHONELE

MIA EUNICE THEMBISO

Proceedings Held at Cape Town on 23 April 1996

DR BORAINÉ:

Before we start I want to make absolutely sure that you are hearing my voice and much more importantly then you are hearing the translation into Xhosa.

Is that all right, can you hear the translation - good - good. Well then I would like to welcome all four of you to the Commission and on behalf of the Chairperson and my fellow Commissioners to express first our appreciation to you for being willing to come to the hearings.

We have said many times and we have to say it again that we - we understand that it's not easy. That - to go back and think again of the deep grief that you have endured, takes a great deal of courage and spirit and commitment. And we want to thank you right at the very beginning.

Ms Ngewu I am going to start with you as the chief witness, but all of you of course are important and have your own stories to tell. And I am going to ask you Ms Ngewu if you will stand please so that we can take the oath.

DR BORAINÉ:

Now Ms Ngewu I want you to take your time, I don't want you to hurry, just talk at your own pace, I won't interrupt you unless I want more information and I want to take you back to the 3rd of March 1986. Can you tell me what happened on that day.